

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Wednesday, 24<sup>th</sup> April, 2013

*The Senate met at the Kenyatta International  
Conference Centre at 9.00 a.m.*

*[The Speaker (Hon. Ethuro) in the Chair]*

#### PRAYERS

#### QUORUM CALL AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Ethuro): Order, hon. Senators. We need to determine if we have a quorum. We seem to have the requisite quorum.

Let us proceed, Prof. Kindiki.

#### PROCEDURAL MOTION

##### EXEMPTION OF BUSINESS FROM PROVISIONS OF STANDING ORDER NO.39 (3)

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I beg to move the following Procedural Motion:-

THAT, pursuant to Standing Order No.237 (1), the Senate orders that the Business appearing in today's Order Paper be exempted from the provisions of Standing Order No.39(3), being a Wednesday morning, a day allocated for Motions or Bills not sponsored by the Majority or Minority Party or a Senator belonging to the Majority or Minority Party or a Committee.

Mr. Speaker, Sir, you will note that today is a Wednesday morning and we have to continue with the debate on the Presidential Address. That is the reason that this Procedural Motion is before the House.

I beg to move and request Sen. Wetangula, the Senate Minority Leader to second.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, I beg to second this Procedural Motion. We are all aware that business on Wednesday morning is designated in the manner set out in the Motion. But in doing so, I want to urge that the Rules and Business Committee which you chair moves quickly to adjust our Standing Orders. This is because if you read this Motion carefully, and the provisions of Standing Order No.39(3), you realize that on Wednesdays we might never have business. Every

Senator here belongs to either the Majority Party or the Minority Party. It appears that if we will operate this way, we will never have business for Wednesday morning because there is not a single Senator here who does not belong to one side or the other. We also do not have any independent Senator, unlike in the lower House where we have independent hon. Members. So, we need to re-look at this provision so that we have business for Wednesday morning.

Mr. Speaker, Sir, I know you have constituted a committee to look into this. I urge that your two colleagues, with designated co-chairs, Sen. Murungi and Sen. Orengo, start their work in earnest and give us the outcome.

I want to urge hon. Senators that we dispose of this Motion without much debate because it is procedural, so that we give hon. Senators an opportunity to continue ventilating their views on the Presidential Address.

Mr. Speaker, Sir, I beg to second.

**The Speaker** (Hon. Ethuro): Sen. Wetangula, while you are at it, Standing Order No.39 (3) says:-

“On Wednesday morning, a Bill or a Motion not sponsored by the Majority or Minority Party or a Senator belonging to the Majority or Minority Party, or a Committee shall have precedence over all other business in such order as the Rules and Business Committee shall ballot.”

This Standing Order talks of “shall have precedence”. This means---

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, this means we can still have business.

**The Speaker** (Hon. Ethuro): Yes. The issue is whose business gets the priority.

**The Senate Minority Leader** (Sen. Wetangula): You are right, Mr. Speaker, Sir. But if the day is set aside for hon. Senators, other than those designated, we need to recast it, so that it gives full meaning to what we intend to do under this Standing Order.

Mr. Speaker, Sir, I beg to second the Motion.

*(Question proposed)*

**The Speaker** (Hon. Ethuro): Order, hon. Senators! Since I do not see any interest in this Procedural Motion, I will now put the question.

*(Question put and agreed to)*

Next Order!

## MOTION

### THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the Thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President on the occasion of the opening of the Eleventh Parliament on Tuesday, 16<sup>th</sup> April, 2013.

*(The Senate Majority Leader (Sen. (Prof.) Kindiki) on 23.4.2013)*

*(Resumption of Debate interrupted on 23.4.2013)*

**The Speaker** (Hon. Ethuro): Hon. Senators, yesterday, when debate on this Motion was interrupted, Sen. Kipchumba was contributing. He has a balance of 11 minutes, although yesterday we told him ten minutes.

Sen. Kipchumba, you have 11 minutes. Proceed.

**The Nominated Senator** (Sen. Kipchumba): Thank you, Mr. Speaker, Sir. In the spirit of nation building, I wish to salute my colleagues and the House for yet another blessed day.

Mr. Speaker, Sir, looking back at His Excellency the President's Address to Parliament, I wish to, first of all, at this juncture, take the opportunity to sincerely and categorically appreciate and thank one great hero in Kenya. This is a man who has stood over time to fight for the rights of Kenyans. He has seen to it that the laws of the land and the governance system turn from dictatorial, autocratic to democratic. This is hon. (Eng.) Raila Odinga. I am saying this because it reminds me of many years ago when I was a victim of the tough state machinery. I suffered too, fighting for space, not for myself, but for others. It reminds me of 1992 when we were clamouring for a new Constitution. There are two things that Kenyans wanted. One was to reduce the powers of the presidency. Secondly, they needed to be allowed to allocate resources and make decisions on how those resources are to be utilized and shared at the grassroots level.

Mr. Speaker, Sir, we fought for a new constitutional order for over 20 years. We, as Kenyans, can proudly say we have a new Constitution. We are now in a new dispensation or order. This order has brought in a new way of doing things. The President's Address to Parliament was nicely worded with great dreams. It was powerful and displayed a beautiful future. I also believe that this should bring in a new culture. The Constitution has many good things. Unfortunately, it is like we did not need a new Constitution in this country. I think we needed a new culture; a new way of doing things.

On that note, I wish to recognize that the new Parliament embraces gender parity. This should not only be reflected in speeches and letters, but in our behaviour. The issue of gender is not something that we have to be reminded about. We need to inculcate it in our behaviour. We need to appreciate that we have different roles in society as different sexes. Not only do we need to embrace gender parity, but also equity and fairness. Fairness should be reflected in selection, nomination and appointments. At this juncture, I am hopefully praying, that as the Government puts in place Cabinet Secretaries, that out of at least 18 people, one will be a person with disability. It is my prayer that, as the Government gets down to work, we will not be doing things the same way and expecting different results.

Mr. Speaker, Sir, His Excellency the President made a bold statement of his intention on the need for austerity measures and in prudent management of public resources. This statement has only three lines. This country loses a lot of money due to poor management of resources and corruption. There is only one brief statement that cannot be elaborated and I hope it will be dealt with as it is. It is my wish that the Government will promote the fight against corruption. This issue reminds me of the year

2002 when the NARC Government took over and Kenyans were ready to fight corruption. People would stop police officers and say “No”. Unfortunately, the docket of fighting corruption has now been left to the very few people at the top. I believe corruption is even at the family level. The culture of fighting corruption should be done at all levels. There is a need to come up with community anti-corruption programmes where every community takes initiative to fight corruption within itself.

Mr. Speaker, Sir, in the President’s Address, there was mention of women, youth and one word on the minority. I am saddened that there was no mention of persons with disabilities. The Constitution in Article 100 realizes that there is need to bring on board this group of people. There is need to realize that persons with disabilities are not part of the figures of this country, but the people that need to develop this land. I, therefore, wish that, as the President names his Cabinet, he will be coming with a special advisory or department in his office on issues of women, youth and persons with disabilities. I hope that they will be committed, not only to have a desk or department, but mainstream issues of disability at all levels and sectors of Government. For example, when we talk of infrastructure such as roads, ports and social amenities, how many can be accessed by persons with disabilities, especially our brothers and sisters on wheelchairs? When I, for example, visit the washrooms, am I able to use the facilities? You have just seen me walk in and walk out. Unless the facility is specially made for me to hold on to bars and organize myself, it can be quite difficult to use. It is worse for the many that are out there.

Mr. Speaker, Sir, I call upon this Government, they call themselves the digital Government though the digital systems did not work during the General Election--- It is important that as we talk about laptops, we need to ask: what will happen to those children with special needs who will not require laptops? What will happen to those people who require the bare basics in order to access schools? What is the provision for those who might never go to school, but will be at home and need some skills to help them go through life daily? Not everybody needs to go to school for academic purposes. There are some people who just thank God that they are alive.

As we get to the level of working, I appreciate that the Government that is in place claims that peace comes from two individuals meeting together. That is not true. Peace comes by national cohesion, trust and the general goodwill that people have towards one another.

Mr. Speaker, Sir, I want now to focus on programmes that are in place to take care of security. I come from Baringo County. In the last two months, people have died due to one community attacking the others. If people were dying of Ebola, the whole Government would be represented there. But when it is a few Tugens, say 20 or 100 dying, there is no initiative to bring that to a stop. Security standards must be raised. Security should not be the preserve of a few.

Thank you, Mr. Speaker, Sir.

**The Senator for Busia County** (Sen. Wako): Thank you, Mr. Speaker, Sir, for giving me this opportunity. First, let me start by thanking the people of Busia County. Busia County is a multi-ethnic region. I thank them for overwhelmingly voting for me. It was really a landslide victory over my opponents. I assure them from the Floor of this House that I will serve them and the people of Kenya.

Let me also congratulate my fellow Senators because they went through the same struggle. They were voted in and that is why they are here. I also want to thank them for electing you as the Speaker of the Senate.

I want to remind ourselves that the job of Senators is clearly spelt out in Article 96 of the Constitution. I do not know whether we realize that as opposed to the hon. Members of the National Assembly who represent the interests of their constituencies, we do more than representing our counties. The Constitution clearly states that we are there to protect the interests of the counties and their governments. That phraseology “to protect” is not there when the Constitution is talking about hon. Members. I want to believe that the 67 of us are here because we believe passionately in protecting the interest of the counties and their governments. Consequently, because of our commitment, we, as a Senate, should speak with one voice irrespective of which political parties brought us here. I noticed the contribution by the Senate Majority Leader - he is also of the same view, that we have a bi-partisan approach on this matter.

Secondly, as the Senate, we must assert our role in the pecking order. If you look at the draft that came out of Naivasha to Parliament, not the Committee of Experts’ draft, there was a specific clause which stated that the National Assembly is number one and the Senate is number two. But thanks to us in the Committee of Experts, we deleted that clause. In deleting that clause, we left room for us, as the Senate, to assert our role as the premier House. I am glad that His Excellency the President recognizes that role of the Senate in the pecking order.

The Presidential Speech itself, I must say, in terms of aims and objectives of the Jubilee Government, was wide ranging and touched on many issues. I am glad that he recognized the role of a vibrant opposition in this country. He went as far as stating that he will support the civil societies as they take on the Government on various issues. I think that was a positive thing. He talked of the need to spark an industrial revolution. This must be there before 2030, although he used the words “within our generation”. I think 2030 is the date that we are all aiming to have an industrial revolution, so that we are a middle class income economy in the world. He talked of the need of tackling the issue of unemployment which is a time bomb in this country because about 70 per cent of our youth are unemployed. He talked about tourism, food security and modernizing agriculture. He talked about health, water and electricity, energy and corruption. I would say that to the extent that he committed himself to implementing the letter and spirit of the Constitution. We shall take him on when it comes to the interests of persons with disabilities in this country because he must implement the Constitution. So, in terms of that I can say, it is a tick.

Mr. Speaker, Sir, if you look at the United Nations’ records, we are a country that is known for producing excellent feasibility studies on any topic. For example, if you talk of the modern transportation system in Nairobi, you will realize that many studies have been done. However, we are very poor when it comes to implementing what we want. Therefore, it is that level of implementing this speech that we, as the CORD Coalition, and also as the Senate, we shall take on the Government where they fall short. That is our role as the opposition; to offer constructive criticism where we feel they are falling short of their promises to the people of Kenya.

Mr. Speaker, Sir, because of the time element, I just want to focus on two issues: The first one is devolution. I want to talk about devolution because that is our role. I welcome the assurance which the President stated in his speech, and I will quote it:-

“That devolution is central to my Government’s vision for Kenya, it is not optional, it is a constitutional duty and one shared by all of us.”

Mr. Speaker, Sir, to the extent that he agreed, accepted and admitted that the implementation of devolution is a constitutional duty, I give him a tick. When he was making that statement there were mixed signals which were emanating from the Government which indicated that there were some powerful forces within the Government, and Sen. Murungi, I believe yesterday identified them as partly the Treasury or some Treasury overlords. We know that there are some powerful people who were never happy even during the referendum on the issue of devolution. So, there were those mixed signals coming from the Government. For example, just getting payments to the counties were a problem. In fact, the previous Parliament passed the Transition to County Allocation Revenue Act, which was supposed to implement allocation to each county for the period of March to June this year. According to that Act, this payment was to be effected immediately after elections. That allocation was so good that it was said that it will go directly to the county. For Busia we were allocated Kshs204,893,279. It was even said that it will go directly to the county. But during this period the national Government was supposed to perform some duties on behalf of the county government. So, Busia was supposed to get Kshs3,133,473 for performing those duties. It does appear that although the national Government got theirs, our county governments have not received theirs. So, during the swearing in of Governors and during the inauguration of the County Assembly, the national Government appears to have been in control whereas it is the counties themselves which should have been in control.

Mr. Speaker, Sir, another confusing signal is on the issue of County Commissioners. I will be arguing that the use of County Commissioners is in itself very confusing. The commissioner is identified with extreme powers that the provincial and district commissioners had in the past. In that regard, I know, Sen. Haji, who is here, a former provincial commissioner knows what powers he had. There is also Sen. Musila. They know what powers they had. I believe that is why they do not even want to be Governors because Governors do not have as much power as the former provincial commissioners had. That is why they came to the Senate. I hope they will help us to ensure that everything goes on well.

Mr. Speaker, Sir, there are a number of laws which are in conflict with the Constitution as far as devolution is concerned, we have to do an audit of all these laws and correct them. One of the things that this House must do is to amend that Act which constituted the county commissioners. We can even change the name to, may be, “national government representative” and avoid the word “commissioner.” We may change the name, like in the *majimbo* constitution, to be called “agents of the national government in that area.” We have to do that and do it quickly. As long as they are there and they are staying in those houses, there is going to be confusion in the minds of our people about who is who in the county and yet we know that the Governor was elected by the people of that county on one-man-one-vote election. So, the sovereign power of the people was delegated to the Governor. So, the Governor is the political head and whether

you talk about a number of issues, the Governor is the political head. He has to be consulted even in those matters concerning the function of the national Government because the national government programmes will not be successful in any county unless they get the co-operation of the elected leaders of that county. Because of that, I welcome the President's commitment and I hope that from now henceforth, we shall see that commitment put in practice. I know for a fact that the national and county government coordinating summit which the President chairs is due to meet this week. In the discharge of its functions, it must ensure that the functional and institutional integrity of the county government is respected. I hope that as they meet this week, we shall see a new face of the Government and the signals will come out clearly showing the President's commitment to devolution in this country. I am just waiting to see the papers to see what comes out of that particular meeting. We should hear that payments have been done. As I said, various Acts will be amended to conform to the Constitution to give strength to the county governments and so on.

Mr. Speaker, Sir, let me pay tribute to the Commission on Revenue Allocation (CRA) for what they did. If you look at the functions of the national Government, it concerns policy, apart from the judiciary, security, foreign relations and so on. When it comes to the matters on the ground, the national Government is just a policy setting organ, but implementation is done by the county. If that is so, although, the CRA only gave 30 per cent of the national budget to the counties, I would urge that the percentage should be increased to 45 per cent to tie in with the work that will be done by the counties.

I saw that in the Jubilee manifesto, they are committed to 40 per cent. Can we have that 40 per cent this year and then 45 per cent next year and we proceed that way? I would urge that this Senate passes a resolution to that effect at the right time.

Mr. Speaker, Sir, the other issue that I want to deal with is ethnicity and tribalism in this country. I was very happy with the President's Speech when he stated that everyone in Kenya must fulfill their potential regardless of where they come from, what circumstances they are born into or what community they come from. Taking into account that the Government is the biggest employer in this country, I would like that to be implemented starting with the employment in the Public Service. We do know that in the report by the National Cohesion and Integration Commission, it was said that some departments or institutions of the Government are dominated by certain ethnic groups. They are normally the ethnic groups of whoever is the head of that institution. We know that this is there even now. In fulfillment of this, the Government should come out clearly because under the Constitution, for example, Article 131 requires that the national executive must reflect regional and ethnic diversity.

**The Speaker** (Hon. Ethuro): Order, Sen. Wako! Your time is up!

**The Senator for Busia County** (Sen. Wako): Mr. Speaker, Sir, with those few remarks, I thank the President for his Speech and now we shall hold him to what he said.

**The Senator for Murang'a County** (Sen. Kembi-Gitura): Mr. Speaker, Sir, like my colleagues, I wish to start my address by acknowledging and thanking most sincerely the people of the County of Murang'a for having overwhelmingly elected me to be their first Senator under this new dispensation of our Constitution. I want to assure them, from the Floor of this House, that as God is my helper and as I swore when I took my oath, I

will work tirelessly towards serving, not just the people of Murang'a, but also the people of this great Republic.

Mr. Speaker, Sir, I think that this will be an opportune moment for me also to take this opportunity to thank my colleagues, Senators, for having elected me to be their Deputy Speaker in this House. I would like to assure them that as this is my very strong belief, I will work tirelessly in that position. I want to assure that I will work without fear, favour or affection. I will serve each and every Senator, this Senate and our country without equivocation.

Mr. Speaker, Sir, looking at the President's Address that he gave at the opening of Parliament, I stand here to support it. Article 96 of the Constitution sets out very clearly what the role of the Senate shall be. Listening to my colleagues here yesterday and even this morning, I would like to add my voice and support to those of my colleagues, who looking at Article 96 and appreciating the mandate of the Senate, take the view that we, Senators, must at all times take an extremely bipartisan approach in the way we look at the issues that confront us. We are 67 in number. Forty seven of us are elected and we represent the 47 counties. That is a very small number that now encompasses the whole country. So, it is my very strong belief that we, as Senators, have that very big role and duty not just of bringing this country together and bringing out the issues that confront us, as a nation together, but also to try and look for solutions. We should not complain about things that have passed. This is the first Senate under a very elaborate Constitution that will give us guidance on how we will deal with our affairs in the future. So, we must take Article 96 very seriously.

Mr. Speaker, Sir, when we talk about the oversight role over the county governments, what does that really entail? We have the 47 county governments. I am happy to see that most of them are already up and running. Some of them have even nominated the people who are going to be in their county executive committees. It is my very strong belief that devolution is the solution to the problems that we have had in this country. If we are going to achieve our Vision 2030, I am convinced that devolution is what will accelerate and help us achieve it maybe much sooner or so soon thereafter the year 2030. But there are very many things that we need to do. First and foremost, we, as a Senate, are in charge of determining the allocations to the counties. I do not know exactly at what point we are going to do that under Article 96, because what I believe is that the Cheserem Commission is an arm that will come up with formulas that then we, as Senators, will look at, approve and determine whether or not they are workable. This is what we should be putting down to the Commission. It should not be the other way round. It should not be the Commission telling us how the money will be allocated, but it is for us to tell them. I believe they will show us the formula that they are proposing. For us we will discuss it as a Senate and come up with the actual figures that will go to all the 47 counties, depending on the needs and ratios of poverty, population and all those other things that we shall need to look at.

Mr. Speaker, Sir, the county assembly members, at all our various counties, again in my very considered opinion, are going to be the most important tool that will hasten the development of this nation. Therefore, since the devolved funds will be going to the counties and it will be not for us, as Senators, to deal with the actual cash, like Members of Parliament and the Constituencies Development Fund (CDF), or as councillors used to



do with the Local Authorities Transfer Fund (LATF) and other monies that cascaded down, our role is to see that, that money is properly utilized. I want to reiterate that I believe that the county assembly members are going to be the most important tool in this regard. We must remind the members of the county assemblies that they are not councillors. They have got an extremely different role that they have to play. That is the role of seeing to it that devolution works. Therefore, they must be treated in a way that takes due regard to the role that they have to play.

Mr. Speaker, Sir, I know that it is not, maybe, right for us to discuss the issues of salaries and things like those at this level, but I think that it is wrong to give a member of the county assembly the role that I have said they have, and then when it comes to remuneration, treat them worse than the councillors were treated. If we have to stem corruption and make the assembly members at the county level work like I believe they should work, to see that the funds that they get are properly utilized in the counties, then I believe that they are people that need to be properly remunerated and not paid the paltry sum that was proposed for the members of the county assemblies by the Serem Commission.

Mr. Speaker, Sir, we have an oversight role and must talk freely about these issues without fear or favour. It is up to us to see to it that things in this country are going right. We are the glue that is going to bring together and cement our counties which, together make that unit called the Republic of Kenya which all of us have sworn to protect at all times.

Mr. Speaker, Sir, Vision 2030 is important to all of us. One of the things that we must guard against, if we are to achieve Vision 2030, is corruption. I have not forgotten the year 2003 when the NARC Government came into power. I remember how citizens, in the belief that we were in a new dispensation, and because they had been burdened by that yoke of corruption, became law enforcers. They arrested policemen at roadblocks when they took bribes. Citizens did what I thought was right then and even today. Unfortunately, we lost the momentum. I would like to see us accelerate and follow that momentum, so that together we fight corruption. This is because corruption is the biggest bane that will make us not achieve Vision 2030. Yesterday, I heard that corruption or money that goes into corrupt pockets is as much as Kshs380 billion a year. That is money enough to build classrooms, buy laptops and all the equipment that we need for our children. So, we must guard against corruption. We, as Senators with the oversight role that we have, must see to it, without fear or favour, that the county governments that we oversee are run free of corruption as much as possible.

Mr. Speaker, Sir, I would like to briefly consider the issue of education. We talked about laptops the whole of yesterday and I am sure that they will be discussed today. There are those skeptics who think that it is not a good idea to have laptops because some areas do not have classrooms or because there are not enough teachers to teach our children on issues of Information Communication Technology (ICT). It is that procrastination and fear of trying new things that has kept us so backwards for so many years. When we started the Free Primary Education (FPE) programme in 2003, there were skeptics. There were those people who said that they did not believe that it would work. There are those people who said that we were wasting money and that maybe we needed new classrooms instead of FPE. But the last ten years have proved that the FPE

project has worked and will continue to work. It is in the same spirit that I believe we must take new challenges. It may not work as well as we would like it to work at the beginning, but the question is: Is it a good thing if it is properly managed? Can we grow it and see to it that maybe in the next five, ten or 20 years, it shall work? Yesterday, I was listening to my friend, Sen. (Dr.) Khalwale, giving his address. He talked about football and said that children in nations like Brazil and Argentina are exposed to football when they are as young as three years. That is what creates the culture of football in those countries. It is not that their young ones are any more brilliant than our young people who are here. We can play football and do great things, but we do not agree to take the challenges that are there to be taken.

Mr. Speaker, Sir, if a child of three or six years starts with a laptop, then we are talking about a possible true digital age in the next eight to 20 years, when it will be a tool, like we use a pencil for those of us who are in the analog age and cannot freely use a computer. We must make a computer a tool that our children can use in the coming years. That is why I support the initiative to have a laptop for each child, because I do not believe in procrastination. I believe that it is imperative that we should start somewhere and then move on.

Mr. Speaker, Sir, there is only one other issue that I would like to look at this morning, that is diplomacy. We are going to have a Committee on Defence and Foreign Relations. I would like to challenge that Committee when it is finally formed. I would like to remind that Committee that the sovereignty of this country remains of vital importance to us, as a nation. We do not want to see that Committee as one that hops between and among our foreign missions, harassing the officials of those missions, instead of working for the real reason. We have Ambassadors of foreign countries making disparaging statements about our country everyday; things they cannot do in some other foreign countries. I was an Ambassador and never stood up to speak against the country where I was assigned, because it is against the Vienna Convention. Why do we in Kenya allow foreign diplomats to go to public meetings and talk about our country without giving it the respect that it deserves? I want to challenge that Committee, when finally it comes into force, to make sure that they guard seriously the sovereignty of this nation and insist on mutual respect among nations. That is important if we have to develop as countries that respect each other. That is a challenge that I give seriously, noting that diplomacy these days is about economics. It is about how we can grow our economies and not about the years of the Cold War when some people thought that they had sovereignty over others. If we allow ourselves to be “over lorded” by other people then, again, it will be a very difficult thing for us to continue to develop as a nation.

Mr. Speaker, Sir, there are many issues that we could discuss. We will continue to discuss them as time goes. Let me end by saying that this is our country. It is one nation and all of us must work towards protecting and defending it. That is why I wind up my few remarks this morning by reminding all of us again about the need to be bipartisan and not argue and quarrel even when there is no reason or point to make. We must be bipartisan, remembering that the nation is looking up to us, as Senators, to be the cement and the glue that keeps our nation together.

Mr. Speaker, Sir, I beg to support.

**The Nominated Senator** (Sen. Lesuuda): Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to give my comments on the Speech by His Excellency the President during the State Opening of the Eleventh Parliament. Before I do so, let me take this opportunity to congratulate all Kenyans for the manner that we behaved and how we conducted the elections peacefully. It showed that we have matured as a nation and learnt lessons from the past. We are a country that can be looked up to, not just in Africa, but the world over.

Mr. Speaker, Sir, let me also congratulate His Excellency the President and the Deputy President for being elected and their assumption into office. Let me also congratulate the Deputy Speaker, the Senate Majority Leader, the Senate Minority Leader and the Chief Whips for their successful election. I cannot forget to congratulate my fellow Senators who went through a very rigorous campaign to be elected. They were elected and are now here to represent the electorate in their various counties.

Let me also congratulate the nominated Senators. We know that the task ahead of us is not easy, but I know that we have the commitment. I will not forget to thank His Excellency the President and my party, The National Alliance, for nominating me to be among the Senators who are seated in this honourable House.

Mr. Speaker, Sir, before I make my remarks, let me say that the President's Address captured the real challenges that we face as a nation. Whether we say some statements were vague and broad, they captured the challenges that we face. He also gave possible solutions to those challenges that we face as a nation. It is up to us as the Senate, the Cabinet Secretaries and everybody else who has the responsibility of leadership to make sure that these solutions are put in place, once and for all.

Let me also say that the task ahead of us is not easy, but nevertheless, we have to perform it. The President said that the clock is ticking and five years will soon come to the end. As the first Senate under this Constitution, people will be asking what we did and what we have to show for those five years. It does not matter whether you were in the opposition or in Government; you will be held accountable for the same reason that you are seated here this morning as a Senator. So, we really have to ask ourselves what we will have to show as the first sitting Senate under this Constitution.

Mr. Speaker, Sir, I will pick a number of issues that are very key and close to my heart that the President talked about. We have to embark on a journey of ending marginalization, historical injustices, unemployment, insecurity and illiteracy. I heard my colleagues wondering aloud whether the development we saw in the last ten years touched on all parts of this country. We can argue about it in this Senate, but even His Excellency the President in his Address noted it. He said and I quote:-

“While in the last ten years our country has seen major developments in our national infrastructure, too few Kenyans have seen the benefits in their day to day lives. It is time that all Kenyans shared in the fruits of our prosperity, and I will, therefore, bring forward Bills for consideration”

What the President meant was that we have seen development in this country, but it has not touched as many people as we would want in this country. I will use Samburu County where I am a registered voter as an example. There has been not even a single kilometre of tarmac road since Independence. I am not able to reach home as fast as I could. By the way, Samburu is not very far; it is somewhere I can go to attend the county

assembly meeting and come back. At the moment, I cannot do so, especially during this rainy season because there is no road. On the map of Kenya, Samburu is shown as tarmacked. I really hope that in this Jubilee Government we will see that marginalization come to a close so that we can also benefit. These counties also have something that they can give to the rest of the country. You can go to Samburu and enjoy the wildlife there. You have seen Safaricom company using clips of the beautiful scenery in Marsabit. But how do we access these counties? How do investors access these counties, including those in the western part of the country? So, we really have to make sure that we end marginalization.

With regard to the youth, I would like to thank this Constitution because I would not have been standing here were it not for this Constitution. I also really thank my party for sticking to the letter of the Constitution by ensuring that I am not the only youth in this Senate, but we are three of us. It shows that we are committed to ensuring that the youth are not left at the periphery, but they will contribute to the development of this nation.

Having said that, it is time the youth stopped being a statistic in this nation. We should not be referring to the youth in terms of 70 per cent of them being unemployed. We should stop using the youth during the campaigns in terms of half of the voters being the youth. The youth are tired of being a statistic. They want to be involved in the development of this country and they actually have the potential. Given a chance, we will see that the youth have something to offer to this country.

Mr. Speaker, Sir, I will be keen to see what we will be doing with the youth who do not have all the qualifications we have been looking for as we form this Government, especially the youth who come from the areas which, for a very long time, have been marginalized. We have young men out there who have not had access to education, who have the energy and the will to contribute to the development of this nation. The question is what will we be doing with this energy? That is why those young men are involved in cattle rustling. I have been involved in various peace initiatives and after sometime, the young people come back and tell us: "You told us to stop fighting, what do we do with this energy that we have?" A long time ago, we used to see those young men being taken to the National Youth Service (NYS) where they were trained to contribute to the development of this nation. From the President's Address, he said that we will have young people who will be involved in the construction of dams and other infrastructure. In those marginalized areas where people do not have the intellectual capacity because of illiteracy – but they have the energy – if they are trained at the NYS, they will use their energy to help in nation building. I really pray that we will remember the youth from those areas as we talk about the youth of this country. We should be able to rehabilitate them. Many youth in Coast Province are addicted to drugs. We should rehabilitate them instead of arresting them and throwing them into cells. We are not doing any good to them. We should rehabilitate them and then use their energy in contributing to the development of our nation.

**An hon. Senator:** I will invite you to the coast!

**The Nominated Senator** (Sen. Lesuuda): Invite me to coast? Thank you!

Still on youth matters, I will be very keen to see to it that we implement the Constitution to the letter. His Excellency the President said that we will review and

amend the Public Procurement and Disposal Act to establish a legal obligation on Government to buy Kenya first and create procurement quotas for the youth and women. I hope this is something which will not just be put on paper, but we will actually see the women and the young people stop being flower girls in this City, but be empowered economically to generate their own wealth.

Mr. Speaker, Sir, let me reiterate an issue which Sen. Wako has also mentioned. He said that every citizen is free to be the very best that he can be, where everybody can fulfill their potential regardless of where they come from, what circumstances they were born into and what community they belong to. I know that many of us in this Senate will be looking to see whether this will be followed by this Government. I believe His Excellency the President and the Deputy President will keep this in their minds as they execute their duties. We want a nation where everybody is hopeful; that everybody knows that, at the end of the day, he will be given an equal opportunity just like any other child born in any part of this country, to be the best that he can be.

Mr. Speaker, Sir, let me now talk about corruption in this country. Many people are asking where the Government will get money to do all these things that are outlined in this Speech. Just as fellow Sen. (Dr.) Khalwale said, a lot of money in this country is lost through corruption dealings. We want the resources of this country utilized properly so that we have good roads in Samburu County and that children in Samburu County get quality education. In the Senate, we will play our oversight role to ensure that corruption will be a thing of the past. I really do hope that after these five years, we will not still be talking about corruption.

I have been to a country like Rwanda where I saw how people behave with regard to corruption. If you try to give anybody money for any work that they have done for you, they will refuse to take it because it is their duty as citizens of that country to do their work. We have also seen the President of that country firing Ministers who are involved in corruption. I really hope that His Excellency the President will not spare any Cabinet Secretary or anybody else who is involved in corruption. We also have to play a role to ensure that we have not devolved corruption to the counties. We have to really play our oversight role to see what the Governors in the counties will be doing with the money that will be allocated to those counties. I know that we are all committed to ensuring that we safeguard devolution.

The President in his Address said devolution is not an option, but a constitutional mandate that must be fulfilled. I fully agree with him. We will not be doing anybody favour when we support devolution in this Senate. It is not even a favour from the Executive to this nation to support devolution. It is actually a constitutional duty that we all have to fulfill. Personally I know that I am committed to ensuring that this is done.

In conclusion, I really expected in his Address, the President to talk about reconciliation among Kenyans. The issue of reconciliation and bringing people together should be taken into account. As a Senator, I would really want to see us get done with the whole issue of IDPs. We cannot talk of reconciliation if the IDPs are not resettled. We will just be covering a wound; cleaning the top of it and yet we have to deal with the root cause of these issues.

He also talked about national security in his Address. He said there will be various policies that will be put in place to streamline the Police Force so that we have enough officers assigned to a number of citizens.

Mr. Speaker, Sir, as a journalist and a peace ambassador, I am concerned about the loss of innocent lives to criminals in various parts of the country. We need to put in place mechanisms that will ensure that every Kenyan is safe. There is no way Kenyans will realize their full potential when they are insecure and not able to contribute to the development of this nation. I hope that as a Senate and even as leaders in this nation, we will ensure that we see true reconciliation, especially in areas where there has been conflict. If lives are lost in any part of this country, we should be concerned. It is not possible that in one morning over 40 Kenyans die and particularly police officers. This has never happened anywhere else in the world and yet it is business as usual in our nation. We want to see to it that Kenyans do not lose their lives in senseless killings. I really hope that in five years' time we will have found a solution to the elusive peace that we have all been trying to achieve. I believe this is possible.

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

**The Senator for Marsabit County** (Sen. Hargura): Thank you, Mr. Speaker, Sir for giving me this opportunity. First, I would like to thank the residents of Marsabit County which happens to be the largest county in this country with diverse communities, for having entrusted me with the responsibility of representing them in the Senate. I would like to assure them that I will work to my level best to uphold that trust and to ensure that I serve them at all levels, whether it be at the local county level or at the national level. I will strive to ensure that there is unity among various communities and equitable development in all the parts of the county.

As the Senate, we are here to serve and protect the county governments and to make sure the devolution dream is realised. Based on that, I would like to take the President's Speech a step back. My fear is that there is an assumption that we are all at the same level as a country. Therefore, the measures which are being applied are being applied across the board. My fear is that these measures might even result in further marginalization of some areas because the previous governments have been concentrating on what they termed as high potential areas.

I come from the roads sector background. The roads sector developments have been done in a way similar to that of the colonialists where they concentrated on what they called the high potential areas or the white highlands. That is why the railway and the road systems are developed in a particular direction. After that, the Kenyan Government came up with the rural access roads programme and the minor roads programmes. All of them were aimed at opening up the high potential areas.

I remember a map which used to be in the Chief Engineer's Office. As a junior officer, I used to look at it. In this map, the country was divided using different colours. The colours signified parts of the country and the donor who was taking care of the construction and improvement of roads in a particular area. However, the larger part which was the arid lands or the marginalized areas, these were left without any colour. This area was indicated as one that would be developed by the Government of Kenya, but nothing has happened since Independence.

We then came up with the Roads Maintenance Levy Fund (RMLF) which was for maintenance of already constructed roads. It was assumed at that point that we were all at the same level. Therefore, we were supposed to maintain what had already been constructed. Others had no roads at all, but we were all given the same amount of money. We were told that some of the money was shared equally and equitably. Those marginalized areas which cover over 70 per cent of the land mass of Kenya were given the same amount of money as other areas which had good roads. It is a pity that even today, the component of development is still going to the so-called high potential areas.

That kind of marginalisation seems to have been institutionalized. All successive Governments have been dealing with the issue like that. The Constituencies Development Fund (CDF) also took the same route. We are getting the same amount of money with small variances taking into account other factors. However, we are still assuming that we are on the same level. From the President's Speech, I looked for that element of correction of that injustice, but it was not there. I know that others will say that in the Constitution, there is an element of the Equalisation Fund. This is 0.5 per cent and will not get us to where the others are. It took 50 years for the Government to develop other areas. We are 50 years behind and no one should expect us to develop at 0.5 per cent and catch up. I expected that kind of acceleration of development in marginalized areas to be in the President's Speech if he wants us to be at the same level with others.

The measures he has introduced might even result in further marginalization. This is what I mean. If you look at education, we are moving into the digital age. We are getting laptops for class one pupils. We are talking about free education to students to the age of 18. However, we do not have the basic facilities. We do not have the schools and we do not have enough teachers. That means that we will still remain behind, struggling to get our children to schools while others are in the digital age. I do not oppose the issue of laptops and embracing technology. But I still insist that it would have been prudent for the President to bring out clearly what he intends to do to make the marginalized areas catch up with other areas, so that we also benefit from that technology.

With regard to health, he talks about free access to maternal and primary healthcare. The county I represent only has two government hospitals at the former District Headquarters; Marsabit and Moyale. A county as vast as Marsabit, covering about 16 per cent of the land mass of this country surely cannot operate on those two facilities. There are neither government facilities nor health centres. So, where will our women access the free maternal and primary healthcare services? That will still leave them marginalized while other Kenyans benefit. We will still lag behind. In that case, we would have expected acceleration in the provision of infrastructure in terms of government dispensaries and health centres so that we also benefit from that. People may be wondering how we operate there.

During the time of colonialists, I think for those who may be aware, most of northern Kenya was referred to as the Northern Frontier District (NFD). It is some organizations such as the faith based organizations like churches who provided education and health services. Up to now, in most areas, they are still the ones still doing it. Therefore, we might not benefit from the Government programmes in the area of health.

For us to have development, we should have electricity. Where I come from, Marsabit County, it is only Marsabit and Moyale towns where you will find power and

even the new districts which have been formed have no power. So, how do you expect that kind of area to develop? We are talking about youth and women and things like self-employment. If you do not have power, it is very difficult to harness your own capability. You may get the funds, but not have any useful skills to develop because you do not have the basic infrastructure like power. So, that is a major issue which is lacking in the President's Speech. He did not tell us how he would fast track development in marginalized areas, so that we reach a level where we can make use of his programmes and whatever he is proposing in terms of taking the country forward so that we can be a middle income country within our generation.

In his Speech, he talks about tourism as a way of improving our economy and revenue base by attracting more tourists. We are talking of a total of about three million per year. We know very well that tourists come here basically because of our wildlife and the marginalized areas, the so-called arid areas, is where the wildlife is found. We have been trying to conserve as much as we can. However, since late last year, there is a worrying trend that has come up in the conservancies in this country. We have heard about the poaching menace which is not good for our tourism, wildlife and for our future generations. However, I am worried about some conservation policy which is coming up. We have all see that there is a lot of poaching. However, if you look keenly you will see this poaching is taking place outside the protected Kenya Wildlife Services (KWS) areas. These are private areas outside the conservancy area which are mainly run by Europeans. The politics going on is that the KWS is being portrayed as being ineffective so that the owners of ranches can attract funds. In the process, they portray our otherwise dedicated Kenyans who are involved in this protection to appear like they do not know anything. As somebody from a pastoral community, I am worried. Some senior officers who were targeted at KWS and who were accused of being ineffective happen to come from my area. This may be a way of getting them out. This may disenfranchise us who are harbouring the animals. That kind of politics needs to be checked if we intend to improve our earnings from tourism. We need to strengthen organizations like the KWS which are already doing it so that we achieve the goal of making sure that we benefit from the resource.

The Youth Enterprise Fund (YEF) and the Women Enterprise Fund (WEF) is a good idea. However, the issue is to make sure that it works. This is not a new Fund. It has been there. However, where I come from, people have not accessed it. This means that there is something wrong with its implementation. This time round, it must be easily accessible. In addition, the necessary capacity building should be carried out so that people can make quality and meaningful use of it.

The other issue I would like to talk about is insecurity. Kenyans cry of insecurity in major towns. We have been living with insecurity for a long time until we are now made to believe that pastoralists cannot live without fighting. However, I would like to give a case where that idea was disapproved. North Eastern Kenya has been one of the very insecure parts of this country for a long time. You had to get police escort for a bus; one vehicle to lead in front and one behind, but it would still be attacked. However, it took one officer who understood the cause of this banditry to step in. This was Amb. Swaleh. He stopped it. My last posting was in Mandera. I could easily travel from Garissa to Mandera at night. I worked there for five years and did not hear about a single incident



of banditry. That means that this is not just about what we think. Personally, I think this is a way of leaving us in that condition so that others can develop and we remain marginalized. The Government has the capacity and the capability to bring down all the insecurity in the pastoralist areas.

Right now, as the Senator for Marsabit County, I would like to raise the issue of the Isiolo- Marsabit Highway. We thought initially that if the road was tarmacked, we would be safe. However, up to now, even the tarmacked part of the road between Isiolo and Merile is still insecure. The Government is not doing anything about it. That is what is going on. The Government should take the security of its people seriously by involving the locals and making sure it is safe. The Government should not just be sending money for security operations to the Provincial Administration which used to be there, so that the only component of the Budget we get is that of security, but not for development. The reason we are underdeveloped is because the Government had its priorities wrong. Owing to that, I hope that this Government will take into account measures of accelerating development in marginalized areas so that we catch up with all the good proposals that the Government is making and also involve us in ensuring that the area is secure with proper infrastructure.

*[The Speaker (Hon. Ethuro) left the Chair]*

*[The Deputy Speaker (Sen. Kembi-Getura) took the Chair]*

**The Senator for Vihiga County** (Sen. Khaniri): Mr. Deputy Speaker, Sir, thank you for allowing me this opportunity to make my remarks on the Presidential Address during the Official Opening of the first session of the Eleventh Parliament.

Mr. Deputy Speaker, Sir, from the onset let me take this opportunity, like my colleagues who have spoken earlier to thank the people of Vihiga County for giving me an opportunity to serve them as their first Senator under the new Constitution. It is a big privilege and honour. Just like I promised them during the campaigns, I reiterate again from the Floor of the Senate, that I will never let them down.

I also want to take this early opportunity to congratulate my colleagues, both elected and nominated because I know they went through the same rigorous exercise to be here. I want to congratulate them for being here and I look forward to a very fruitful engagement with them for the period of five years that we will be here. I want to wish them well.

Lastly, may I also take this opportunity to congratulate the Speaker and the Deputy Speaker for earning the trust and confidence of these hon. Senators. I have a lot of confidence in both of you. I worked with Hon. Ethuro in the Eighth, Ninth and Tenth Parliament and I know his capabilities. I also worked with you in the Ninth Parliament and I know your capabilities. I know that I ran against you, but as we agreed before the voting, your win was my win and my win was your win. So, I wish you well and we will give you the full support.

Mr. Deputy Speaker, Sir, coming to the Speech, I want to state from the beginning that I support this Motion. Before I highlight one or two areas, let me say that there are two areas that disappointed me. The first and foremost is the manner in which the Speech

itself was delivered. President Uhuru Kenyatta and his Deputy William Ruto were elected on the platform of being youthful and digital. It was so disappointing to see the President going through the same ritualistic way as has been done by the previous presidents, reading pages and pages of speeches. We expected that as a digital President--- I expected to see him with an iPad or making some power point presentation. So, let him lead from the front. He is a digital President and he has to demonstrate that he is so and not just in words.

My second disappointment with the Speech, and I think this has been mentioned by the previous speakers, is the way the President addressed the issue of corruption. To me, the President did not come out very clearly to give us his clear policy and vision on how he will tackle the issue of corruption in our Government. We all know that corruption is one of the vices that has brought our economy to its knees. We all felt the devastating effects of corruption in our Government. Therefore, this is a vice that must be dealt with very firmly by this new administration. We have seen previous administrations giving lip service to the fight against corruption, but we expect a deviation from that. We want to see the President and his administration dealing very firmly with corruption. We want to see some heads rolling. I want to believe that even if it did not come out very strongly in his Speech, in his programmes, he will put this as a priority; the fight against corruption.

Otherwise, I want to state that the Speech was good and reconciliatory. We saw the President coming out to extend an olive branch to his opponents in the last elections. He emphasized on the need for all Kenyans to work together. Therefore, I think the Speech was reconciliatory and that is starting on a very good point. I believe that he means well.

Mr. Deputy Speaker, Sir, the President shared with the House and Kenyans his development agenda and laid down the nine pillars of his administration. I picked up the issue of food security. There is no nation that can develop when its citizens are hungry. Food security should be priority number one for this administration. This is what China did and that is why they are where they are. You can talk of super highways and development of all infrastructures that you want to talk about. but as long as the people are hungry, this development means nothing. Therefore, I want to support him on the issue of making Kenya food secure. It is very important and I want to hail the whole idea of setting aside one million acres of land to increase food production. I want to support the idea of modernizing and mechanizing agriculture, but we should go further than that and come up with a clear policy on supply of fertilizer and seeds to our farmers. This has been a big problem to our farmers, particularly in Trans Nzoia and the western part of this country where I come from. The fertilizer and seed prices are so prohibitive. We hope that the Government can come up with the policy to subsidize the cost of these inputs so that we can increase production and make Kenya self-sufficient in food supply.

Secondly, if we want to encourage these farmers, we need to come up with the policy to do value addition to whatever products that are produced in various areas. I want to see the Government coming up with small-scale to middle-scale industries so that farmers can get ready markets for their produce and get value for it.

Mr. Deputy Speaker, Sir, the other issue that I picked from the Presidential Address is the issue of unemployment. The previous administrations have given lip

service to the issue of unemployment. I want to support Sen. Lesuuda that the youth have been taken for granted. We believe that the new administration having admitted that unemployment is very high, that is, at the rate of 70 per cent, will come up with proper policies to ensure that we create employment for our youth. The whole idea of a special fund for the youth and women is good, but we must streamline how this particular fund will be administered. So, let us walk the talk on the issue of providing youth with employment in this country.

Mr. Deputy Speaker, Sir, in his Speech, the President came up with his legislative agenda for this particular session. If I remember very well, he said that priority number one in his legislative agenda is to ensure full implementation of the Constitution. I want to share with you that one of the reasons Kenyans overwhelmingly endorsed the new Constitution or the dispensation that we are in now, is the whole idea of devolution. In devolution, Kenyans saw a chance of getting fair and equitable distribution of our resources. This particular Senate has been established under the Constitution to protect devolution. That is how much we value devolution. Therefore, I was glad and very pleased to hear the President say that devolution is not an option, but a duty for us to make sure it works. So, we want him also to walk the talk. As a Senate, we vow that we are going to help him ensure that devolution works.

The beginning point is the idea of county commissioners. I know my colleagues have spoken about it here. I do not see the need for county commissioners if we want our devolution system to work. Let us empower the Governors. Let them exercise the powers that have been allocated to them by *wananchi* through the ballot. I do not want to belabour this point because Sen. Wako dwelt on it extensively and said all that I had to say on this particular point. As a Senate, we have to ensure that devolution in this country works.

Mr. Deputy Speaker, Sir, the second last point I want to talk about is the issue of insecurity. I sat here yesterday afternoon and listened to Sen. Leshore contribute to this Motion. He narrated the ordeals that he went through together with Hon. Shidiye from the National Assembly. The rate of insecurity in our country is alarming. Something must be done very urgently to curb the senseless killings that we are witnessing in Garissa, the muggings that we are witnessing in Nairobi and the cattle-rustling that we are witnessing in several parts of the country. Increasing the number of police officers is a solution, but we should go beyond that and make sure that we equip them very well and give them better working conditions to ensure that they discharge their responsibilities in a better way than they do.

Mr. Deputy Speaker, Sir, I will end with the most talked about topic; that is, the issue of laptops. It is a good idea. I want to agree with you that it is good to face new challenges, but I have some reservations. The reason for coming up with this particular policy is to make our children Information Communication Technology (ICT) literate. However, there are many ways we can do this. Buying a laptop for every pupil is a tall order. I think it will eat so much into our Budget. I think we should get our priorities right. For example, we can establish a computer lab in every primary school and buy them 40 or 50 computers and we will achieve the same results. We will have these children share the computers in the computer lab other than buying each and every child a laptop. I do not think this is tenable. We have other priorities and there is no point

trying to give them each a computer when they do not have text books. We have also not trained enough teachers as you noted earlier. So, who is going to teach them how to handle these particular gadgets? So, let us get our priorities right. Let us, first of all, give our schools the infrastructure they need such as enough classrooms. Let us give them text books and employ enough teachers, including the teachers who will instruct them on the use of these computers rather than trying to say that we want to buy each one of them a laptop.

Lastly, I was also very happy with the policy of extending the accessibility of water and electricity to all the rural areas. The Kibaki administration did very well in terms of extending electricity to rural areas. They had what we call matching facility whereby Members of Parliament would make a contribution from the Constituencies Development Fund (CDF) to the Rural Electrification Authority (REA). The REA would then contribute three times what CDF contributed to ensure that electricity is supplied to the rural areas. I hope that this particular facility will be enhanced and continued by this new administration.

Mr. Deputy Speaker, Sir, I want to thank you very much and wish the Senators a successful session.

**The Senator for Garissa County** (Sen. Haji): Bw. Naibu Spika, kwanza, ningetaka kukupongeza wewe na Bw. Spika kwa kuchaguliwa kusimamia hii Seneti. Sina shaka, kwa muda ule tumeweza kukaa pamoja, kuwa ninyi wawili ni watu ambao wanaweza kutuongoza katika kazi muhimu ya Seneti hii. Pia, ningependa kumpongeza Kiongozi wa chama tawala pamoja na kiongozi wa upinzani, wasaidizi wao pamoja na Chief Whips kwa kuchaguliwa kwao. Tunataka kuwahakikishia kuwa tutafanya kazi nao ili tuboreshe kazi ya Seneti hii.

Bw. Naibu Spika, pia, ningetaka kumpongeza Mheshimiwa Rais na Naibu wake kwa kuchaguliwa kwa wingi na wananchi wa nchi hii. Ningetaka kuwaambia kwamba kila mwananchi katika Kenya ana matumaini makubwa kwa juhudi watakazofanya kuweza kuboresha maisha ya kila mwananchi katika sehemu zote za Kenya. Ningependa pia kuwapongeza Maseneta wenzangu kwa kuchagulia na kuteuliwa. Sisi kama wazee ambao tumekuwa Bungeni mbeleni, tunawakaribarisha na tunafurahi kuwa pamoja nanyi.

Bw. Naibu Spika, ningependa kuwashukuru watu wangu wa County ya Garissa kwa kunichagua kwa kura nyingi ambazo hazijawahi kuonekana katika Kaskazini Mashariki na Upper Eastern.

**An hon. Senator:** Ngapi hizo?

**The Senator for Garissa County** (Sen. Haji): Elfu hamsini!

*(Laughter)*

Bw. Naibu Spika, hizo ni kura nyingi sana kwa sababu wengine walichaguliwa na kura 20,000 na kwenda chini. Kwa hivyo, ningependa kuwarudishia shukurani za dhati kwa kunichagua kwa kura nyingi sana. Pia ningependa kuwahakikishia kwamba kutokana na uaminifu ambao walionyesha kwa kunichagua, nitahakikisha kwamba ninatekeleza wajibu ambao ninatakikana kutekeleza katika Kaunti yetu ya Garissa na nchi nzima kwa jumla.

Bw. Naibu Spika, Hotuba ambayo ilitolewa na Mheshimiwa Rais ilikuwa ya kufana sana. Iligusia matatizo mengi ambayo yanatukabili sisi kama wananchi wa Kenya. Ningetaka kuanzia umuhimu wa amani. Hakuna nchi ama binadamu yeyote ambaye anaweza kuendelea kwa njia yeyote bila kuwa na utulivu unaotokana na amani. Inaonekana ya kwamba amani katika nchi yetu inazidi kuzorota kila wakati. Katika sehemu nyingi za nchi hii, wananchi hawana raha kwa sababu ya ukosefu wa amani.

Bw. Naibu Spika, hasa ningependa kuzungumza juu ya mambo ambayo yanafanyika katika mji wa Garissa. Wakati nilikuwa Kaimu Waziri wa Utawala wa Mikoa na Usalama wa Ndani, haya matatizo ya watu kuuwawa yalikuwa yameanza. Nilipokwenda huko nilikutana na watu na tulizungumza na maofisa wa Serikali. Tulipendekeza mabadiliko mengi sana. Nilipeleka askaris 100 katika mji wa Garissa na maofisa 200 wa General Service Unit (GSU) kule Dadaab ambako wakimbizi wako tukitarajia kwamba matatizo haya yatakwisha. Lakini inaonekana kwamba siku baada ya siku hali inazidi kuwa mbaya. Kwanza, ningetaka kumshukuru Rais kwa kuwatuma maofisa wakuu wa usalama katika nchi yetu kule Garissa ili kuona ni hatua gani zinaweza kuchukuliwa ili haya matatizo yaondolewe. Lakini kwa bahati mbaya, askari wengi wamepelekwa hapo mjini. Ukweli ni kwamba yule mtu ambaye anakaa katika mji na ni mhalifu anayetafutwa, si kuku ambaye amefungwa miguu na kukaa pale. Atatafuta njia yoyote ya kuweza kutoroka. Anaweza kutoroka kwa miguu au njia yoyote ile. Kwa hivyo, suluhisho sio kuwapeleka askari wengi kwenda kuwasumbua raia na kuwapiga. Hasa sisi tuna *culture* na dini. Hata ukisoma the Public Health Act, utaona ya kwamba wakati unataka kwenda kufanya inspection ya nyumba ya Mwislamu, kwanza, unawaambia wanawake wa-*withdraw* ili utekeleze operesheni hiyo. Kwa hivyo, badala ya kufanya operesheni hiyo kwa utaratibu na njia nzuri ya kupata usaidizi wa wananchi, inaonekana ya kwamba wananchi watakasirika zaidi na kuogopa hata kutoa habari kwa Serikali. Kwa hivyo, hilo sio suluhisho mwafaka. Serikali ingebuni tume inayoongozwa na majaji kwenda kule Garissa kufanya *inquiry* na kujua chanzo cha jambo hilo ni nini. Kama ni mambo ya *Al Shabaab*, kama vile ambavyo tunaambiwa, Mandera ni less than 200 metres kutoka kwa mji unaoitwa Bula Hawa ambao unashikiliwa na *Al Shabaab*, na matatizo haya hayapo kule Mandera. Nimezungumza na Gavana wetu wa Garissa leo na amenieleza ya kwamba operesheni ambayo inafanyika katika mji wa Garissa haiwezi kutusaidia, bali itawafanya watu wasiwe tayari kuisaidia Serikali. Watu wa Garissa ni lazima wanajiuliza wenyewe: Je, inawezekana mtu kuvua suruali na kuhara katika *bedroom* yake? Yale mambo ambayo yanafanyika katika Garissa ni sawa na jambo kama hilo.

Bw. Naibu Spika, ningetaka kuzungumza juu ya maendeleo kwa jumla. Nafurahi kuwa Rais alisema ya kwamba tutafanya *irrigation* ili kukuza chakula cha kuweza kuuzwa hapa nchini na hata nje ya nchi. Nafikiri katika sehemu nyingi ambazo zilikuwa zinajulikana kama kikapu cha chakula katika Kenya mashamba yamezidi kuwa madogo. Kikapu cha chakula katika nchi hii yetu ya Kenya, kitakuwa katika Mkoa wa Kaskazini, Upper Eastern, Lodwar na sehemu zingine, kwa sababu ardhi ni kubwa, lakini shida ni uhaba wa maji. Tunajua ya kwamba katika nchi ya Israel kuna Jordan River ambao ni mdogo, lakini wanakuza vyakula vya kila aina ambavyo vinawatosheleza na pia kuwawezesha kuuza katika nchi za ng'ambo. Katika sehemu ninazozungumzia kuna maji ardhini. Pia tumeona kuwa wakati mvua inanyesha katika Tana River, Garissa, Lodwar

na kwingineko, maji yanawabeba watu. Maji haya yanaweza kuhifadhiwa kwa kutengeneza *dams* kubwa kubwa ili kuweza kufanya *irrigation*. Isitoshe, sisi wakaazi wa County ya Garissa tuko juu ya Tana River. Watu wetu, kwa sababu ya ng'ombe na ngamia kuisha na ukame kila wakati, wangetaka kufanya ukulima. Lakini wakaazi wa Tana River ambao wanadai kwamba huo mto ni wao, hawatukubalii sisi tutumie maji hayo kufanya *irrigation*. Hilo ni jambo ambalo Serikali inatakikana kuchunguza. Ningeomba kwa haraka iwezekanavyo Serikali iuunde Tume ya mipaka ili kusuluhisha matatizo ya mipaka katika Garissa na Coast Province. Hii ni kwa sababu kama kungekuwa na mipango ya *irrigation* kando ya mto huo wa Tana, maji hayo hayangeweza kuwafikia watu hao na kuwauwa. Isitoshe, maji hayo yanaenda kwa bahari, na huku unazuia mwananchi wa Kenya kuyatumia kulima na kukuza mimea na kusaidia nchi nzima ya Kenya. Kwa hivyo, Serikali ikitaka kufanikisha mambo ya *irrigation*, inafaa kuangalia utaratibu wa kujenga mabwawa makubwa katika sehemu kame ambako kuna ardhi yenye rotuba. Isitoshe, matunda kama mapapai, ndimu, ndizi, maembe na mananasi yanayokuzwa kule ni matamu sana kuliko yale ambayo yanatoka katika sehemu baridi.

Bw. Naibu Spika, kuhusu tourism, kama vile mwenzangu alivyozungumza, kuna wanyama wengi katika sehemu kame katika nchi yetu. Ni jambo la kusikitisha kusikia kwamba watu wanawauwa vifaru na ndovu ilhali tunajua ya kwamba uchumi wa nchi hii yetu unategemea sana mambo ya utalii. Hata Rais katika hotuba yake amesema kwamba watafanya bidii kuona kuwa idadi ya watalii wale ambao wanakuja kutembelea Kenya itaongezeka. Kuna mwenzangu mmoja aliyezungumza hapa – nafikiri alikuwa ni Sen. Billow Kerrow – na kusema kwamba watalii hawa hawaji kuona vile sisi ni wafupi, warefu, wanono au vile wasichana wetu ni warembo. Wanakuja kuwaona ndovu na vifaru. Kwa hivyo, kuwaachia watu binafsi kuwahifadhi wanyama hao ni hatia kwetu kama nchi.

Bw. Naibu Spika, nimeambiwa ya kwamba watu ambao wanawauwa wanyama hawa siku hizi wanatumia bunduki inayoitwa *silencer*. Ikirusha risasi hata mtu aliyekaribu hawezi kusikia. Nilisema kuwa sio kawaida kwa raia binafsi kuwa na bunduki za *silencer*. Niliambiwa kuwa watu hawa wana teknolojia ya kuweza kutengeneza *silencer* yao wenyewe. Kwa hivyo, biashara ya kuwauwa ndovu na vifaru itazidi kuendelea na huenda ikazorotesha uchumi wetu kwa sababu watalii hawataweza kuja. Kwa hivyo, ningeomba Serikali iweke hata homeguard mmoja kwa vifaru wawili ama ndovu kumi, kuwachunga usiku na mchana ili tuwanase wawindaji haramu ambao wanawauwa hawa wanyama.

Bw. Naibu Spika, nikiangazia mambo ya kaunti, ningependa kuwaambia viongozi wa county assemblies, magavana na hata sisi wenyewe, Maseneta, kuwa kwa muda mrefu tumelia juu ya ukosefu wa maendeleo kwa sababu tuliamini kwamba wale ambao walikuwa wanatoa uamuzi kutoa pesa za maendeleo hawakuwa watu wetu. Leo tumepewa kisu na mbuzi ili tuweza kumchinja sisi wenyewe, kutoa ngozi na kugawa nyama hiyo. Kwa hivyo, lile jambo kuhusu “marginalization” ambalo watu wengi wamezungumzia, halifanyiki katika county yetu.

**The Senator for Migori County** (Sen. (Dr.) Machage): Bw. Naibu Spika, niruhusu nikupongeze kwa uteuzi wako. Niruhusu pia nimpongeze Rais wa nchi kwa kutangazwa kuwa mshindi. Ninasema kutangazwa kwa sababu wengine tuna fikira tofauti juu ya jambo hilo, lakini yeye ndiye Rais wa nchi na ninampongeza. Niruhusu pia

kuwapongeza Maseneta wenzangu kwa uteuzi wao. Sen. Haji alichaguliwa na watu 50,000 ilhali nilichaguliwa na watu 200,000 katika Migori County. Ninawashukuru watu wa Migori kwa sababu waliweka ukabila kando, ikiwa ni sehemu kubwa ya kabila la Wajaluo na kunichagua mimi kuwa Seneta wao. Ninawashukuru na ninaahidi kuwatumikia vilivyo.

Bw. Naibu Spika, sio wakati wote kukebehi wala kutojali Hotuba ya Rais. Ninafikiri ilikuwa nzuri na ilisomwa kwa ufasaha, uadilifu na kwa lugha ya Kiingereza sanifu bila kusita na kwa muda mzuri. Letu sisi ni kusema kwamba aliyoyasema yatekelezwe; isije ikawa ni hekaya za Abunuasi wala hadithi za Alfu Lela Ulela. Inafaa atie aliyoyasema maanani kwa sababu sisi tukiwa kwa upinzani tutafuatilia kwa dhati hatua hadi hatua kuona kwamba kweli Hotuba yake ya kwanza imetekelezwa vilivyo. Na akifanya hivyo, huenda akatushawishi wengine kuwa wafuasi wake. Lakini asipofanya hivyo, atawapoteza wengine njiani.

Rais alisema kwamba atasikiliza siasa za upinzani na kwamba hana shida na jambo hilo. Alisema kwamba yeye ataangalia Serikali za ugatuzi na kuheshimu yaliyowekwa katika Katiba kwa sehemu hiyo. Lakini nilitarajia kwamba baada ya kusema hivyo angesema kwamba makomishna wote wahamishwe mara moja kwa sababu Katiba haiwapi huwo uwezo wanaojitakia. Alishindwa kusema jambo hilo labda kwa kupenda au kwa kusahau. Alisema kwamba ataangazia sehemu zote za Kenya kwa kutekeleza mambo ya hali na mali iliyo sawa. Lakini ukiangalia yaliyoandikwa leo katika gazeti la *Nation* wameorodhesha majina 150 ya Wakenya ambao wanataka kuteuliwa kuwa Makatibu Wakuu wa Wizara. Inafaa uangalie majina hayo yametoka katika sehemu gani ya Kenya hii. Migori iliyo na watu milioni moja imepata nafasi moja tu, ilhali Mkuria hayumo, Ogiek hayupo na sitaki kutaja wengine. Sasa ukorofi waanzia hapo kwa sababu hizo sehemu sasa zimebaki kwa utuezi wa Makatibu hao na sio vizuri. Lakini kikapu cha mzee huwa kina mengi. Labda tukisahauliwa hivyo, atateua wengine.

Bw. Naibu Spika, Rais alisema kwamba ataunda Baraza la Mawaziri wachache na ndio akaanza jana. Aliwatangaza Mawaziri wanne. Katiba inasema kwamba kila Waziri lazima awe na ujuzi, kisomo cha kutosha na uzoefu kwa Wizara hiyo ambayo atatekeleza kazi yake. Ukiona Wizara ya Afya, Rais ameteua mtu asiye na ujuzi kabisa, kwa sababu kazi yake ni kwenye benki. Mimi nikiwa mmoja wa madaktari Kenya hii, tunaona hii ni dharau. Angechukua mmoja wetu kuwa Waziri wa Afya. Tuna wasomi wengi ambao ni madaktari na wana ujuzi wa utawala wa hali kama ilivyo. Siwezi kusema sababu zake lakini hiyo ni dosari ambayo ni lazima aone kabla hajatangaza Mawaziri waliobaki katika Wizara zile zingine 14. Kila Mkenya yu macho na atasoma kile ambacho Rais wa nchi hii, kijana mwenye nguvu, atafanya. Tunatarajia mengi.

Ni mengi yamesemwa hapa; mambo ya utawala, usalama na mimi pia niliguzwa na mambo ambayo Seneta mwenzetu alisema jana kwamba alikuwa mzima lakini sasa ni kilema. Sen. Haji amesema mengi yanayotendeka kaskazini mwa nchi ya Kenya. Na sio hivyo tu, hata kusini kule Migori County ambayo inapakana na Trans Mara na hata ndani ya County ya Migori yenyewe, kuna jamii ambazo zinapigana sio kwa sababu wanapenda kupigana, lakini kwa sababu wale maofisa wa Serikali ambao wako pale wamekaa hapo miaka mingi kuzidi kifani; zaidi ya miaka kumi. Kwa wakati huu kazi yake imekuwa ni kupokea rushwa tu. Hana kazi nyingine. Anafurahia maiti za wananchi akila rushwa. Ni kwa nini wasihamishwe?

Bw. Naibu Spika, mambo yanayoendelea kaskazini mwa Kenya ni kwa sababu ya rushwa. Hivi juzi wamejaribu kuwahamisha maofisa wale ambao wamekaa hapo siku nyingi, lakini hilo sio suluhisho. Ukachero unatajikana ufanywe mashinani kwenye wazee wa nyumba kumi kumi ili watoe taarifa kwa Serikali kuu kwamba leo tuna mgeni ambaye ameingia hapa asiyestahili na ambaye sisi hatumfahamu. Sera kama hii imeleta ufanisi na amani kwa nchi jirani. Ukienda Ethiopia au Tanzania, wazee wao wa nyumba kumi kumi sio wazee tu bali wengine wamefundishwa mambo ya Serikali na ulinzi. Mwaka jana tulipitisha katika Bunge kwamba wazee hawa walipwe; wapewe mshahara. Hatujui kama hilo jambo litatekelezwa au limepitwa na wakati. Usalama ni muhimu kwa sababu bila usalama basi yote ambayo ameyasema hayawezi kutekelezwa kabisa.

Alipogusia elimu alisema kwamba kwa siku 100 zijazo, tutaona mengi. Alisema kwamba watoto wachekechea watapewa tarakilishi. Hivyo ni vizuri, lakini hao watoto wanajua nini? Je, watapewa ile tarakilishi tunatumia hapa ama watapewa kinyago (toy) tu? Kwa sababu wao wanajifunza kwa kuangalia picha, afadhali, angesema atatoa toys kwa watoto wa darasa la kwanza kwa sababu hiyo ndiyo lugha inayoeleweka. Kwa hivyo, sisi tunangoja tuone kweli kabisa kwamba hizo laptops ambazo zitatolewa zitakuwa za aina gani na zitagarimu kiasi gani cha fedha. Sisi Wabunge tumeshtakiwa kuwa walafi na kujitakia makubwa kwa kuitisha mishahara mikuba ilhali pesa zinapotea kupitia njia kama hiyo.

Bw. Naibu Spika, wenzangu wamependekezwa kwamba kuwe na nyumba moja ya tarakilishi chache, na ninafikiri ninaunga mkono yale yaliyosemwa na Sen. Khaniri. Sisi tunaona kwamba hili jambo linaweza kufurahia au la kumcheka Rais baada ya siku 100. Sisi tutacheka! Lakini hata hivyo, mambo ya elimu ni kwamba sehemu zote za Kenya haziko sawa. Kuna sehemu zingine ambazo zina walimu waliopita kifani. Kwetu nyumbani unapata madarasa manane ya wanafunzi 900 yakiwa na walimu watatu. Ikaja sera ya Serikali ya kutufunika uso kwamba wameanzisha shule za kitaifa vijijini kusudi sisi tusione zile shule nzuri nzuri ambazo zimejengwa mahali kwengine zikiachiwa wenyewe. Huo ni ubepari mamboleo kwa sababu elimu haipianwi kwa usawa katika sehemu zote za Kenya. Kwa hivyo, sehemu zingine zitabaki nyuma siku zote.

Ugatuji umefika na tumeambiwa kwamba tutapewa pesa kulingana na vile tulivyo; County 47, lakini tusisahau ya kwamba kuna sehemu zingine katika nchi ya Kenya ambazo zimejiandaa na zina viwanda, barabara nzuri, hospitali nzuri na kadhalika. Viwanda vinatoa ushuru na kuna wafanyikazi ambao wanatozwa ushuru. Serikali hizo zitakuwa na pesa zaidi kuliko serikali za ugatuji zingine na watapiga hatua kubwa mbele. Tujihadhari kabla hatari hii itokee.

Bw. Naibu Spika, juzi, tulionyesha kwamba sehemu zingine hazina hata benki. Watu wanauza mifugo lakini hawana benki ambapo wataweka rasilimali zao. Je, viwanda vitatekelezwa namna gani? Rais ameongea sana juu ya viwanda ilhali kule kwetu tunalima tumbaku. Tukishalima hiyo tumbaku inawekwa kwa malori na kupelekwa kule Thika ambako kuna kiwanda. Ni nani anayefaidika? Yule anayelima hawezi hata kuajiriwa kwenye kiwanda hicho. Huu ni ukoloni Mamboleo.

Tuna madini kila mahali lakini wale wenye rasilimali katika sehemu zao, je wamefunikiwa vizuri kuona kwamba faida wameipata? Pia kuna wafugaji wa mifugo ama wakuzaji wa vyakula. Ukienda Marakwet, utapata maembe mengi sana yakimwagika chini na kuoza ilhali watu kutoka eneo hilo wanakufa kwa ufukara kwa sababu hawana



hela. Tunataka viwanda vya kufadhili mambo kama hayo. Kwetu kuna ghala la mahindi kuptita kwa kilimo, lakini Serikali ikiona kwamba tumevuna mahindi mengi, wanaagiza mahindi mengi kutoka nje. Wakishaagiza, bei inaenda chini na mkulima hufa moyo. Hawezi kulima tena kwa sababu msimu uliopita hakupata faida iliotosha kulipa gharama zake. Serikali inatangaza kwamba imetoa mbolea, lakini ukienda kutafuta kwa ghala la hifadhi, hutapata. Kwa sababu majabali wakubwa wameichukua na kuipeleka kwa maduka ambako utanunua kwa gharama kubwa. Ni lazima tuangalie haya mambo. Kwetu tunajidanganya lakini labda ni hatua nzuri ya kwanza. Kuna serikali za ugatuzi lakini mle ndani mwa ugatuzi kuna wale waliofinywa. Hata kule mlima Kenya kuna wale ambao wamefinywa.

Asante.

**The Nominated Senator** (Sen. Mugo): Thank you Mr. Deputy Speaker, Sir, for giving me this opportunity to support the Presidential Address. Before I do that, I would like to congratulate you, Mr. Deputy Speaker and Mr. Speaker, for being elected to the high office in this Chamber. This is because of your past record. I also want to congratulate all the Senators, especially those elected who went through the campaigns because I know how tough that can be. Your people had faith in you. I also want to congratulate the nominated Senators because they were nominated for a reason and it is because of the service that they have given before. We also have both Leaders of the Majority and the Minority and the Whips. We are ready to work with you.

Let me, on the outset; appreciate the President's Speech which I found to be full of substance. The agenda was complete and I believe it reflected on where His Excellency said that he intends to reduce on the cost of the household basket including housing, energy and transport for all Kenyans. Nowhere in his Speech does he speak without talking about every Kenyan. This shows that the President, in his mind, sees Kenya as a whole and not a portion of it.

I believe that it would be unfair to start criticizing before we see whether the actions will follow the Speech, which I believe will and have started. I was surprised to hear my colleague and friend, the Senate Leader of Minority, say that this Speech had no substance and that it did not show how the President was going to realize the things he had outlined here. While he has been a Minister like I, and we all know that what the President said is a broad outline of his policy; actualization of planning or the policy details come from the Ministers. That is the Ministers' responsibilities. When they look at this Speech and other policy documents, it is for them to craft each Ministry's policy and the Principal Secretaries to implement. So, I was rather shocked, surprised and wondered why a former Minister can stand here and say that it had no substance. That, to me, seemed to be the same rhetoric which we had on the campaign trail which has now been brought to this Senate.

I believe that this House is one of mature leaders. That is why we are the Upper House. That is how we used to speak in the Lower House. I believe that there must be a difference. We should show the way. At one time this House was referred to as the "House of *wazee*". I think *Wazees* are the ones who give advice; who have shown maturity in bringing families together. Therefore, we, as Senators, believe that our biggest duty is to bring the Kenyan nation together and to support our leaders in doing that.

I want to commend the leader of the opposition, hon. Raila, who together with the President have shown unity in this country. We should support them. I want, at the same time, to congratulate the Independent Electoral and Boundaries Commission (IEBC) for a very difficult job that was done in a short time but in a good manner. We have not heard of elections, anywhere in the world, where there were no complaints. You will remember Al Gore where the difference between him and the winning candidate was very close. He was satisfied and the Americans moved on. We also remember our distant son, President Obama. His election results were very close to those of Romney. This was going on at a time when I was in the US undergoing treatment. They were very close. However, when this was announced because this was even closer than ours, looking at the percentage of the population, Americans, owing to the matured democracy accepted it because it was said to be free and fair. That did not mean that there were no small mistakes that happened here and there. Any mistakes that cannot change the outcome, I believe, that is why we have the Supreme Court to address them. I want to congratulate the Supreme Court because Parliament vetted the Supreme Court judges very vigorously. In fact, I think we had a large number and a majority of the CORD Members which was then referred to as ODM were in support of the Supreme Court. We are the ones who had a bit of doubt on the Chief Justice. He is not now the Chief Justice but the President of the Supreme Court of Kenya. Since they decided to follow justice which Kenyans wanted, they are now being vilified. My question is: When will we, as Kenyans, trust our institutions? If we put every institution in place and if things do not go our way, we criticize them and disband them, how many Electoral Commission of Kenya (ECKs) and IEBCs will we disband? That brings instability in the country.

I was thinking to myself that if the late hon. Kivuitu had not died, he would have been very happy to hear that the same chorus that had been sang about the former ECK; they bungled the elections, they stole the elections, President Kibaki stole the election. This is the same thing we heard in this House yesterday. Why would Parliament, both sides of the House and both sides of the divide, put together such an institution? Why would the Supreme Court agree to go against an individual? I think the answer is; the problem is with the individual. May be it is good for us, as Kenyans, to look at ourselves again because unless we respect our institutions, we will not get it right. We will just start making our people excited and make people think that something is wrong. How can we have stability if we tell Kenyans that the elections were not free and fair; even after the Supreme Court, which was put in place by both sides of the divide, told people that it was free and fair? We must forget the campaigns now and start rebuilding our unity and rebuilding Kenya.

To my brother, the leader of opposition, hon. Raila Odinga, in developed democracies, once someone loses once or twice, he or she retires and grooms a younger person like our friend, Sen. Wetangula, or any other leader from CORD. He could even bring a younger one like hon. Namwamba so that this bitterness can come to an end and we start building unity and one nation which we are.

I believe that the President and the Deputy President, whom I congratulate for being elected freely and fairly by many people---I want to congratulate them for the new way they have made the Cabinet. When you vet, you cannot vet all of them together. My only disappointment with the President and the Deputy President is the way they called

last a lady who is the Secretary of Foreign Affairs which is one of the leading Ministries. It is one of the leading Ministries. We, women, do not like to be called last. We also want to lead the pack. We thank the President and the Deputy President for appointing a lady to the Foreign Ministry, which is a high position.

One of the issues that the President has underlined here, for instance, water, which my colleagues have spoken about, Ministries concerned will start work immediately. They will start work on dams and pans. That means that there will be money to do that work. He did not, at that moment, have to say how much money he will put because that comes from the Treasury. He said that is a priority. He also touched on electricity supply for every part of this country.

With regard to the laptops, I support that fully. Our children and even the child in Wajir or whichever place they are, should be exposed early to technology. We are living in a global world where competition is very stiff. We want those children to go to Harvard and other countries for education. When they go out there and are left behind because it is the first time they are seeing such gadgets, I think this is not fair. Exposing them to technology does not mean that we have to put in a lot of money. We have been told by experts that the laptops for schools can come very cheaply. They are not like the ones we work with in the offices. Again, if they are assembled here as the President said, that the parts will be brought so that they are assembled here, that will create like 20,000 jobs. We keep on talking about jobs but we do not say how we plan to create these jobs. What is wrong with our Standard One pupils being exposed to whatever you may call toys? I call them laptops of that standard. These are not toys. By the time children go to Standard One, they already know how to read and write because they have already gone through nursery school.

I want us to enact a law so that the CDF can be used properly. We have seen that in areas where the CDF is used well, many classrooms and health centres are built. As a Minister for Health, I opened many health centres and, in fact, we built a model health centre in every constituency to promote maternal health. This is possible and now that we have the county governments which we will oversee, many have been invited severally by the President to join the National Government in development and that is what they will do.

**The Nominated Senator** (Sen. Sijeny): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to contribute. I also wish to congratulate all the people who were elected and nominated to the Eleventh Parliament to various capacities. Moreso, I wish to thank my party, the Wiper Democratic Party for having nominated me as a Senator. A lot has been spoken. I will be very brief. Although some areas of the President's Speech have been highlighted, when the President started his speech I was very happy when I heard him congratulating the record number of women in both Houses. I expected to hear how he was going to uphold the affirmative action which is enshrined in the Constitution and which, as you all know, the Attorney-General went to the Supreme Court and obtained an advisory opinion and to the disappointment of many women in this country, the Supreme Court held that the affirmative action was not going to be realized in all the elective positions by 2013 but progressively by 2015. To be precise, it was the Supreme Court Advisory Opinion Application No.2 of 2012.

Mr. Deputy Speaker, Sir, having said that, “women” is a very large constituency in this country. They are the voters. Many of my colleagues have said that women legislators and Senators have complained or fought to be given more rights in the Senate, like the right to vote. We heard what Sen. Kittony was saying the other day and she was shut down, what many Senators including Sen. Mugo and Sen. Lesuuda have said; that there is a right of access to health. We thank the President for having considered this very important aspect. Having been involved in the women movement as a women’s rights activist, I am privy to information and statistics of how many women have died during child birth and how women do not have all the rights to reproductive health. We have heard colleagues from the marginalized areas saying that they do not have all the facilities which they require in the health centres. We have seen many instances where women who are in labour are carried on wheel-barrows for miles to hospitals or health centres where they can get proper attention and care they need. This is a woman’s right and a condition that is very sensitive and special and applies only to women. That is why we are lauding the President because he said that he will ensure that women will have access to health care. In my humble opinion, it is a priority. I saw in the newspapers yesterday the way women have flocked medical centres. This reminded me of the situation when free primary education programme was started by the NARC Government in 2003. Many children flocked to schools including adults who had missed out on education. This situation was managed. In his speech, he pledged and even gave instructions that money should be released to stock drugs and equipment in health centres. We are calling upon the President not to go back or relax but give it the priority it deserves. This cannot wait. A woman who wants to deliver cannot wait for tomorrow. Whereas laptops and other issues can be managed, this is a matter of life and death.

Mr. Deputy Speaker, Sir, the other issue which I expected to hear from the President’s Speech was on how he is going to uphold gender issues. There are many gender Bills which are pending somewhere. They appeared in the august House but they were defeated. Some played around with them and made comments about them terming them as abortion Bills but we know they protect the health of women. We have the Family Protection Bill which protects the family. We have talked about security externally but security begins from the House or the family. We believe that the family should be protected and policy guidelines given. This will ensure that our families are safe. We have seen from the reports that this is not an issue that affects women only but even men are now victims of domestic violence.

Mr. Deputy Speaker, Sir, many of the issues that I would have wanted to speak about have been mentioned. So, to avoid repetition and to also give my colleagues a chance to speak, I would say thank you and I support.

**The Senator for Bomet County** (Sen. (Prof.) Lesan): Mr. Deputy Speaker, Sir, I want to thank you, first, for your eye being able to catch my small frame as I was sitting among giant Senators.

Mr. Deputy Speaker, Sir, like my colleagues who have spoken here, first and foremost, I want to congratulate the Speaker and the Deputy Speaker for their election to the high office of the Speaker and Deputy Speaker of the Senate. I also wish to express my thanks to the Leader of Majority and the Leader of Minority in the House also for being nominated to those positions.

Before I say anything for the first time in the Senate here, I want to thank my voters or the voters of Bomet County for electing me to be the first Senator in the county. Therefore, I want to promise that I will, with all my powers and abilities, serve both the people of Bomet and the people of Kenya in general.

Mr. Deputy Speaker, Sir, I wish to congratulate His Excellency the President for, first of all, being elected the President of this beautiful country of ours. More so, I want to thank him for taking a very brave step to contest for the presidency of this country, even when he had the Hague factor around him.

Mr. Deputy Speaker, Sir, I also wish to congratulate the Deputy President for also contesting and winning the election to become the Deputy President of this country, again, even when he had similar difficulties. I also wish to thank, congratulate and encourage him to go on, because I think that he is an example of the many hustlers that are there in the country. I think that his profile gives us the view that he is the hustler number one in the country, and he has repeatedly said that himself. I also want to thank him for one other thing. This is one Deputy President in whole of Africa who is a registered student in the university. At the moment, he is a registered student, doing his Doctor of Philosophy Degree (PhD) at the University of Nairobi, where I have been teaching. This is a very excellent example to all the others, including all the hustlers who have very much enthusiastic support for him. So, I wish to congratulate him for being an example. It has given hope for all the other people who come from such backgrounds that they could rise to any level in this country, including the presidency of the land.

Mr. Deputy Speaker, Sir, I know that a lot has been said about the comments that the President made. I wish to support the Speech made by His Excellency the President. I, perhaps, just want to make a few comments on a few areas. One of the areas that I want to make a comment on is education. I will not take time talking about the laptops, but I wish to make comments on something else that the President mentioned on education. He mentioned that the middle level colleges in this country have simply disappeared. There are no institutions that, perhaps, have been destroyed than the middle level colleges in this country. As we speak, there almost exists no middle level college in this country at the moment. This is in expense of the expansion of universities in this country. I know that it is a very good thing that we have had exponential growth of universities in this country as shown by the number of colleges and institutions of universities that we have and also, the enormous numbers of Kenyans who have had the opportunity to access university education. This has been courtesy of the large expansion of university education but this has come at a very big cost. The cost here has been the decimation of middle level colleges in this country, even when there has been the Ministry of Education and the Commission on Higher Education, to guide the growth of this education centres in this country. It is unfortunate that the Commission for Higher Education watched as the middle level colleges were being decimated and yet, we know that to aspire and attain the goals of Vision 2030, we needed to have the artisans, technicians and all these people to be in place. Unfortunately, we have driven ourselves into a position where there is even a threat of not attaining the goals of Vision 2030, because we do not have the personnel that are able to carry forward these processes. We have already started seeing the consequences of lack of middle level education in this country. This is exemplified by the collapsing buildings in town and bridges. Also, we have seen this in terms of the

technical expertise coming into our country. We saw the Chinese come and construct the Thika Highway. They brought in the technicians, including the people who pushed the wheelbarrows. They did the road, finished it, packed their goods and left. There was no technical knowledge left behind because there was no institution in this country which was able to capture and retain that capacity that was brought in as bonus for the highway which was constructed. This has been due to our bad policy on education, which I think we must address fairly quickly, so that our priorities are not misplaced, without necessarily damaging the universities that have been put in place.

Mr. Deputy Speaker, Sir, as far as I know, at the moment, most counties are getting ready to establish universities in their various places. I am sure that this is one aspect that we can all have a look at. It is okay to have a university, but I think that we should also have universities with a meaning. I want to think that in this country we should have universities that excel in something, so that we do not just have institutions. We would like to have universities that are known and able to register their intellectual rights that have been developed in universities, because they are known for that kind of thing. So, we would wish to have, perhaps, federal or Government universities that stand out very strongly. I would like to see Mombasa, for example, developing a university that is very highly specialized on marine, because we know that we have rich investments in our waters. We need to develop the kind of knowledge that we want to use. Therefore, universities must grow in a manner that is under our control.

Mr. Deputy Speaker, Sir, I do not have a dispute as regards the laptops, which perhaps I would consider as toys or things to start to develop interest in Information Communication Technology (ICT) in our children even at a very early age. I think that these children are starting to feel this technology even before they are born. As doctors, we are using a lot of imaging now to feel and sense where the children are in their mothers tummy and, therefore, these people have got a life in future with technology. There is no harm if we spend a little money to develop and give them a chance to deal with the laptops. I heard some of my colleagues say that the Jubilee Government said that it will provide laptops within 100 days. I do to think that, that is what was said. As far as I understand, and I can read from this Speech, the President did say that within 100 days, we will establish a framework. It is only the establishment of a framework in the 100 days. So, this is the point at which we can discuss all the pros and cons, difficulties and whether there can be some modifications which we can make in order to change. I think that there is nothing wrong with that. We will first develop a framework where we will critique the methods and techniques which we want to use. So, this laptops idea is a very good idea which has come at the right time. I think that there is no other time than this to try. We would want to use the frontrunners as the example than those who are coming from behind; even if it means establishing laptops in a few areas which have advanced. We will carry on with the others as we move forward.

Mr. Deputy Speaker, Sir, the other thing which I want to touch on, which the President touched on is the area of agriculture. First, I want to indicate that agriculture is a shared function between the central Government and the county governments. When we will be considering revenue allocation, we should probably look at sharing of agricultural resources favourably in the county governments.

Mr. Deputy Speaker, Sir, I come from a county where agriculture is the core-activity. I wish to mention a very sorry situation here in that, tea is the biggest cash crop that is grown in my county and it has been grown for the last 50 years. I can tell you that with the poverty index that is prevailing in the country at the moment, Bomet County shows a very high poverty index. There is a lot of poverty in Bomet County even though we have this cash crop. This is one of the things that I am sure we will be addressing as we look at the policies on agriculture and try to find out why such a thing should happen to a very high potential area where there are a lot of resources.

About 37 per cent to 40 per cent of the earnings from tea disappear in management institutions that deal with tea. For example, the very large bloated organizations of the Kenya Tea Development Agency (KTDA), the Tea Board and the tea research institutions. They consume a lot of these resources that should directly go to the farmer. Secondly, the payments for this product make the farmers poor for a long period of time and then they are paid a certain amount of money as bonuses when they have been suffering for a long time. Prompt payments would be one of the issues that we would like to look at.

Mr. Deputy Speaker, Sir, we also want to look at marketing so that we can do our tea blending locally rather than have it in New Jersey in the United States of America. We can do it locally and there are many benefits that will cascade from local blending. We also wish to encourage the Central Government to do research in the tea sector so that we do not only sell black tea but also have an opportunity to sell green tea. This, I am sure we can do.

Lastly, I just want to mention something about land. This is an emotive issue and I think this is a scare monger. This is one of the reasons why one of the Commissions that we formed; the Land Reforms Commission, is almost ineffective because it has not been able to perform any visible work because of fear of the fact that land is an emotive issue. I think we should demystify this and be able to deal with land issues in the time of this generation so that other generations do not have to suffer. If we procrastinate on this issue, other challenges will come in. These include the sub-division of agricultural land into small pieces that will not help us. So we should encourage the National Land Commission to overcome the fears of land being an emotive issue and be able to deal with issues of land squarely for the benefit of this country at large.

Mr. Deputy Speaker, Sir, in conclusion, power generation should be liberalized. I appreciate this liberalization especially coming from a county where three main rivers coming from the Mau Forest transverse the county. I think we are a county that will be able to generate its own revenue in the next ten years and be able to lend some money to the Central Government.

Thank you.

**The Deputy Speaker** (Mr. Kembi-Gitura): Senator Karue Muriuki!

**The Senator for Nyandarua County** (Sen. (Eng.) Muriuki): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to say a few words and support the Motion. First of all, let me take this opportunity to sincerely thank the people of Nyandarua County for electing me with a landslide of 211,000 votes out of 236,000 votes, to be their Senator. I would also like to congratulate Members of the Senate who through election or nomination found their way here. My sincere congratulations! We are

doing a good job. I think this is a good start. I also wish to congratulate the Speaker and the Deputy Speaker who is now the substantive Chair for being elected to those positions.

Mr. Deputy Speaker, Sir, the President's Address was simply inspiring. He read out his agenda for the next five years, although I think now it is exactly four-and-a-half years unless we scheme something around that time. In his Address, he indicated that he will be calling upon participation of legislators in one way or another and, therefore, I take it that the comments which are being made on his Speech, whether we agree completely or a little and some people disapprove of it, I think it is part of the game.

Some people have put the agenda to make this country a middle income country at 50 years and I think I will put it at 30 years, I think it would be very good if we did that. If nothing else, we will have shorter queues of people who line up to get assistance for basic things like school fees and medical bills in our counties. With that, I wish the President well. He dwelt a little bit on the Recurrent Expenditure and the rather large wage bill which was quoted at 12 per cent of the GDP as opposed to perhaps the recommended 7 per cent. But I personally do not think the wage bill is too large. The problem is that the GDP is too low. A country which has been independent for 50 years with a population of 40 million people generating a GDP of only US Dollars 34 billion – if the figures quoted in the international statistics are anything to go by – I think it is far too little. By now we should be a middle income country compared to the likes of Botswana, Seychelles and so on. In which case, we should be talking of a GDP of US dollars 200 billion to 300 billion. If anything, the Kshs468 billion for the wage bill would really be little even if you doubled it. It would be only 5 per cent or 6 per cent.

Mr. Deputy Speaker, Sir, it is not too difficult to see why our GDP is so little. If you have as large as 40 per cent of our population not gainfully employed, then who is producing the goods and services? The human resource experts tell us that when you have very high unemployment rates, you also generate very high under-employment. I constantly meet *boda boda* operators who hold Bachelor of Science degrees in Agriculture and other degrees, but they have found their way into the *boda boda* industry because they have nothing else to do. The real problem – so that the wage bill does not look so large *vis-à-vis* our GDP--- Our duty is to grow the economy. When we grow the economy, I wish to note something which was said by those who were trying to become Governors of Nairobi during the elections, including the one who was duly elected, each one of them seemed to be very proud of the fact that Nairobi is producing upwards of two thirds of the GDP of this country. I think there is nothing more disastrous than that. There is no way we can have 5 per cent of the population producing 70 per cent of the goods and services and we continue thinking that things are alright, they are not! We need to grow the economies in the counties. We should devolve the economy from Nairobi to the counties. It is not too difficult even when you go to the counties to know where to start because each one of the counties has some raw product of some sort; livestock, grains and things like that. The first duty we have is value-addition. This Senate has a job to do. We somehow must use our positions and make sure that the counties where we come from start industries which are value-adding the products which we are producing in our respective counties. Where I come from, Nyandarua County, we produce a third of the milk consumed in this country. We produce the second most staple crop, potatoes, that is consumed in this country and yet we sell all of them raw. We do not “value add”



anything. They are taken from our county to Marigiti and to other processors, away from the county, raw. The job here is to try to devolve the economy so that we all come from Nairobi where all these processes and marketing is happening and we go to our county.

With regard to tourism, which Mr. President dwelt on for some time and which formed a portion of his Speech, we should try to grow the number of visitors from one million to three million. This is a worthwhile goal but if we will concentrate only on old tourist destinations like Maasai Mara and the fish in Malindi, all we will need to do is a bit more marketing. We will not get far. We need to attempt to develop tourism in each of the 47 counties. Nyandarua County, where I come from, hosts the only lake in the central region. This is called Lake Olbolosat. There is nothing happening there. We only have some hippopotamus and a lot of wildlife but there is even no road to get to the lake itself. There is no hotel there and nothing is happening there. We need to grow the tourism sector for each county. This is a challenge for each Member of the Senate. Everybody should go to their county and find out what can be developed in terms of tourism. I do not think we will use the money that was given by the Commission on Revenue Allocation (CRA) using a formula. We need funds from the central Government for tourism so that counties are assisted both locally and internationally.

Mr. Deputy Speaker, Sir, as we start off with devolution, these counties are not equal. Many Members have stood here and spoken on how they are unequal. However, there is an equality that has not been cited and I would like to cite it. In Nyandarua County, the one I represent, we find ourselves in a very awkward position. First of all, the entire tarmac that was being put in Central Province was not done in Nyandarua. That is already bad enough. Secondly, due to historical reasons, almost all the counties are inheriting offices which were for the District Commissioner, County Council and for the Municipal Council.

In Nyandarua, we find ourselves in a very unfortunate situation. We did not have a Municipal or County Council within our geographical area. We did not have a District Commissioner, in the old sense of 1981, in our county. Somehow, the people who came to build the county headquarters for Nyandarua District found a town called Nyahururu. I think the names Nyandarua and Nyahururu sound similar. They went and built the headquarters in Nyahururu which is in Laikipia County. As a result, the Government built the district hospital in Nyahururu, the county council went and built their offices there and even the OCPD today still sits in Nyahururu, Laikipia County in the Rift Valley region.

We, therefore, find ourselves with no office space for anybody not even our Governor. Our Governor has to hire some offices above some shops in a place called Ol Kalau which is our new headquarters. When Members of the Senate sit down to divide revenue and to consider what county should get what, let us not use the formula used on salaries and other recurrent expenditures. Remember that Nyandarua County, I do not know whether there are others in that predicament, does not have offices at all even for the Commissioner. There are simply no Government offices at all. The district hospital is also in Nyahururu, again, in Laikipia County. When I talked to my friend, Sen. G.G. Kariuki, and asked him whether we can curve the town and bring it to our side, of course, he grew wild. The issue now is to fund the county so that it gets its own facilities.

Last but not least, there is something called the Women Enterprise Development Fund and the Youth Enterprise Development Fund. Whereas I support those two Funds, I think they should be enhanced the way the President said, so that they are done in line with the well proven ways like the CDF. However, I think that is not enough. I think we also need a Men's Fund. When the youth get funded, by and large, the people who get employed are the youth. When a woman starts a business and it thrives, by and large, the people who get employed are the youth. Likewise, when men start a business and it thrives, by and large the people who get employed are the youth. Therefore, if you only have a Fund for women for the sake of affirmative action, which I support, by and large, let us support everybody who can be an entrepreneur. Let us not just say that it is men or the youth who need the fund. Men also need support to make it in business.

Thank you Mr. Deputy Speaker. I support.

**The Senator for Kericho County** (Sen. Keter): Thank you Mr. Deputy Speaker, Sir for giving me the opportunity to support this Motion on the Presidential Speech which is of great substance. However, before I do that, I was wondering whether hon. Senators go wild, which is subject to your ruling.

**The Deputy Speaker** (Sen. Kembi-Getura): Order! There was no point of order and no correction.

Move on.

**The Senator for Kericho County** (Sen. Keter): Mr. Deputy Speaker, Sir, that was for the sake of record.

I want to join my colleagues in congratulating you and the Speaker, hon. Ekwee Ethuro, on your election as the Deputy Speaker. I know for sure that the two of you are capable of handling the job. We have been together in Parliament before and I know that you will handle us well. I want to join my colleagues in congratulating all of us who are here. It was not easy going round. For instance, for me, the Senator for Kericho, I went round six constituencies and it was not easy. Some of my colleagues like Sen. (Dr.) Khalwale had to go round 12 constituencies. That was not easy and I want to congratulate all of you despite the fact that we are being paid like Members who represent one constituency. This is a subject which is of concern to many of us. Which is better; to represent one constituency or a county with 12 constituencies?

I want to thank the people of Belgut Constituency, which I represented during the last Parliament and in the Ninth Parliament, for the trust that they had in me and for electing me. I also want to thank the people of Kericho County for giving me the chance to be their first Senator. I want to assure them that I will do my best the way I have done it before in my constituency of Belgut.

Mr. Deputy Speaker, Sir, the Presidential Speech was of great substance. Some of us have worked with hon. Uhuru Kenyatta, Mr. Deputy Speaker, you being one of them. We served in the Ninth Parliament together in the Public Accounts Committee (PAC). We know him as a person who means good to all of us, as a country and leads in what he says. He delivers on all the pledges he makes. Therefore, I call upon Senators to see that whatever promises he made are things he will deliver. I have confidence that he will deliver on all those pledges.

I want to start with an issue that some of us campaigned with and it is a critical issue with regard to where some of us come from. The issue of Internally Displaced

Persons (IDPs) is one that the previous Government promised to deal with before the elections.

The President talked about the country generating 1,500 megawatts and compared it with Argentina which produces 24,000 megawatts. What is the difference between Argentina and Kenya? We may have a country generating 24,000 megawatts but if we do not have investment in factories, the 24,000 megawatts will be useless. Therefore, a good environment for investors must be established so that investors both locally and internationally can come and develop factories so that as the generation is increased from 1,500 to about 20,000 megawatts like our brothers in South Africa or Nigeria, they will have access to power. The areas the President mentioned are wind power, solar, hydro-power, geothermal and coal power. Most of these sections have not been developed. Where I come from, as my colleague from Bomet had said, we have rivers which are now causing havoc to our brothers in the lower region of Nyanza. There is River Sondu where there is a plant which produces about 60 megawatts of electricity. This was the first phase and the second phase was to be built in the highlands of Kericho where dams were supposed to be constructed. That project has not started. I think it would be of great importance to have dams constructed so that generation of electricity and irrigation can be done. The President mentioned irrigating about 1,000 hectares of land. We can achieve that and also create employment.

The energy sector is very crucial but the terms of investing in hydro-power are punitive. The taxes must be lowered so that even the local investors can develop a small system of mini-hydro power of about two megawatts which can be used in a county just the way we have multinational companies in Kericho like Finlay and Unilever. Each of them has about seven heavy duty factories but they generate their power using small rivers where they generate up to two megawatts. We can adopt this system and even have communities, be it the youths, women or men, involved. This will greatly improve the economy of this country. If we achieve this, we will not be talking about a huge wage bill because we can be able to generate revenue. So, I hope the new Minister for Finance will come up with rules and regulations so that some of the taxes which are governing this area can be improved.

Mr. Deputy Speaker, Sir, the second issue which my colleagues have talked about is the issue of laptops. Some are saying it is a good idea, some are against it while some are saying that this is not the right time. I want to say this is the time. This is the time in the sense that for some of us who represented constituencies like Belgut which has about 120 primary schools - When I joined Parliament, there were few primary schools and most of them are now in good condition, thanks to the Constituencies Development Fund (CDF). We used CDF to build these schools and they now have electricity. Therefore, the issue of laptops is very crucial. It will cut down on the cost. The President mentioned that within the framework of 100 days, we need to establish a curriculum so that some curriculum developers from the Kenya Institute of Education (KIE) and other publishers, can come up with a programme that we can use so that they are not dummy laptops. Students will not be carrying books but laptops which are solar powered.

The energy sector is very crucial to the IDPs are were living in makeshift tents which are not there now. They do not have food and are being rained on. So, as we start the work of this 11<sup>th</sup> Parliament, I want to call upon the leadership and, indeed, all of us

collectively, that there are some brothers and sisters of ours who are not enjoying the way we are doing. For some of these brothers, it is not because of their wish. Some of them were forced out of where they used to live and earn their livelihood, for example, those from Mau Forest. They used to farm there and pay school fees and medical bills. But somebody somewhere decided that, that was not where they should have been and kicked them out of their homes. That was the former Prime Minister, hon. Raila Amolo Odinga. I want to thank Kenyans for voting him out. These people do not have food and shelter. I would like to call upon the Government to ensure that within these 100 days those people live like human beings. The partiality which has been there before should not be seen. We have some Internally Displaced Persons (IDPs) who have built schools and hospitals. They were given all the facilities, but the ones who were moved to Chemusian and Tesalia in Kericho were dumped there. It is a pity and since we have one Government with one voice, I believe that this Government, which I am in, will see the need to ensure that within the next 100 days, those brothers and sisters of ours are also happy and their children can go to schools and do other things.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Deputy Speaker, Sir. I would not wish to interrupt my good friend and Senator for Kericho, but because he is a very senior functionary in the Jubilee Coalition, could he confirm whether it is the policy of the Jubilee Government to destroy the forest of this country in name of settlement of IDPs, when they know that IDPs have a place where they should have gone and not into the forests? Could he substantiate?

**The Senator for Kericho County (Sen. Keter):** Mr. Deputy Speaker, Sir, all of us have a responsibility to conserve our forests. Those people were not living in the forests, but in their farms that were gazetted by the Government. Therefore, they had the right to be there, the way some people are also living near Kakamega Forest, where my colleague, Sen. Khalwale, comes from. Where we come from, we value forests. I know that Sen. Khalwale also values forest because of his culture. I want to assure him that the Jubilee Government and I also value forests.

Mr. Deputy Speaker, Sir, having said that, I want to talk about some few issues. We cannot wait until all the primary schools we have in Kenya have electricity. It is like telling the Kenya National Examinations Council (KNEC) that as they set the examinations, they should put in mind the fact that there are certain schools which do not have electricity. When the KNEC sets examinations, they set examinations for all pupils in Standard Eight whether in private or public schools or whether your school is well equipped or not. To me, we should be positive minded. If we want to get this country to the next level, we should agree on the issue of the laptops. I know for sure that through the economic stimulus package which we had when the current President was the Minister for Finance, each constituency got a good health facility and school. For example, in my county, I have Kabianga Health Centre which is good besides two girls' schools; Chepkoton and Chetuiyet. I think other colleagues who were in that Parliament can attest to that. There must be a beginning. When he started that project, so many people thought that it would not succeed, but it succeeded although there was a bit of a problem in terms of implementation. Now that we have a year and the 100 days, I think it will be implemented well.

Mr. Deputy Speaker, Sir, lastly, I would like to talk about the unemployment issue and job creation. I expected him – this is something that should be done – to lower the retirement age to 55 years. All the commissioners in the commissions that we have created should be on---

**The Deputy Speaker (Sen. Kembi-Gitura):** Order!

**The Senator for Kericho County (Sen. Keter):** With those many remarks, I support.

Thank you.

**The Deputy Speaker (Sen. Kembi-Gitura):** Sen. Nobwola!

**The Nominated Senator (Sen. Nobwola):** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to make a contribution to the Presidential Address. I would like to congratulate you and your senior for being elected as Speaker and Deputy Speaker of the Senate. I also want to hail the Constitution for making it possible for women to be nominated to the august House. I therefore stand here as an elected woman and my constituency is the woman at the grassroots. One or two people said that ladies in the Senate do not have constituencies and, therefore, we are not going to get equal allowances. I would like to concur with what Sen. Mugo said; that the Government cannot be spending taxpayers' money on nominated Senators and at the same time, you do not want us to make an impact at the grassroots. How will women then be elected in the august House after these five years?

The President acknowledged the role of the Opposition in the House. He went on to say:-

“As we hold different views, at the end of the day we are not enemies”.

In fact, what we shall be trying to do is to put checks and balances on what the Jubilee Government is going to do. He laid down his goals for the next five years.

Mr. Speaker, Sir, I will talk about the agricultural sector with regard to the Trans Nzoia County where I come from. We are the bread basket for the nation. We produce so much maize that is milled outside the county and so our revenue is not fully realized when you use the parameters the Commission on Revenue Allocation has used to arrive at the revenue to be allocated to counties. We produce the maize but *unga* is being sold outside the county. This means that the reflected revenue is not correct. I would have expected to see our President say what he is going to do about this. He should have told Kenyans whether he has plans of setting up a Government milling plant so that maize is milled within the county and for the county to generate and collect enough revenue.

The other issue that is affecting farmers in Trans Nzoia is that of fertilizers. This has been touched on by a Senator from Western Province. Fertilizer is being brought in at very exorbitant prices which poor farmers cannot afford. In my view, the county governments should take it upon themselves to make sure that the fertilizer is brought into the country at an affordable rate so that poor farmers can afford it.

In this current session, the fertilizer that was given out was priced at Kshs2,500. It was, however, given to the wrong people who later sold it to business people. When you go to the shops to buy this fertilizer, you will find it being sold at Kshs3,500 which is much more than the rate that National Cereals and Produce Board (NCPB) was giving us. Unless the Government takes it upon itself to streamline this sector, it will be swallowed up because we are next to Uganda. Uganda is bringing in maize and a bag is going for

Kshs1,500 whereas the farmer in Kitale cannot produce or even sell a bag of maize at that price because the inputs are very expensive. A bag of maize seed is sold at Kshs1,500 but if a farmer bought fertilizer at Kshs3,500, then there is nothing he would be making.

With regard to the CDF kitty, some Senators have said that this has worked in their constituencies and I am happy to hear that. However, in the constituency that I come from, this was misused. One members of the committee took off with Kshs20 million and up to now, he has not been arrested by the police. This issue affects women and the youth. I think we need to have proper structures in place. We need to have proposal forms.

### ADJOURNMENT

**The Deputy Speaker** (Sen. Kembi-Getura): Order, hon. Senator. It is now 12.30. Sen. Catherine Nobwola; you will have 10 minutes when we come back at 2.30 pm. However, if you will not be here, the slot will go to another Senator. The Senate stands adjourned until 2.30 pm.

The Senate rose at 12.30 p.m.