

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 1st April, 2015

*The House met at the Senate Chamber,
Parliament Buildings, at 9.00 a.m.*

[The Deputy Speaker (Sen. Kembi-Gitura) in the Chair]

PRAYERS

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Deputy Speaker, Sir. I thought that we normally determine if there is quorum before we start any business.

The Deputy Speaker (Sen. Kembi-Gitura): No, we do not. The Standing Orders were changed a long time ago.

The Senate Minority Leader (Sen. Wetangula): Okay. I am sorry about that.

PAPER LAID

REPORT ON HEALTH AND DEVOLUTION CONFERENCE

Sen. (Dr.) Kuti: Thank you, Mr. Deputy Speaker, Sir. I beg to lay the following Paper on the Table of the Senate today, 1st April, 2015:-

Report of the Standing Committee on Health on the Health and Devolution Conference held from 13th to 16th November, 2014, at Flamingo Beach Hotel, Mombasa.

(Sen. (Dr.) Kuti laid the document on the Table)

NOTICE OF MOTION

ADOPTION OF REPORT ON HEALTH AND DEVOLUTION CONFERENCE

Sen. (Dr.) Kuti: Thank you, Mr. Deputy Speaker, Sir. I beg to notice of the following Motion:-

THAT, this House adopts the Report of the Standing Committee on Health on the Health and Devolution Conference held from 13th to 16th November 2014, at Flamingo Beach Hotel, Mombasa, laid on the Table today, 1st April, 2015.

Thank you, Mr. Deputy Speaker, Sir.

STATEMENTS

The Deputy Speaker (Sen. Kembi-Gitura): Before we go to Statements, Sen. Fatuma Dullo has a request to make.

INSECURITY IN VILLAGES ALONG THE WEST
POKOT-TURKANA BORDERS

Sen. Adan: Thank you, Mr. Deputy Speaker, Sir. I want to make a request for the extension of time on the report on Mandera and Kapedo. We had a meeting last week on Tuesday. We looked at the report that we have and felt as a Committee that we need to have an extension, so that we can have a comprehensive report that can help us to deal with insecurity matters in this country. We, therefore, request for 90 more days

The Deputy Speaker (Sen. Kembi-Gitura): Which reports are you exactly referring to and by which committee?

Sen. Adan: The Committee on National Security and Foreign Relations.

The Deputy Speaker (Sen. Kembi-Gitura): Which reports are you exactly referring to?

Sen. Adan: Mr. Deputy Speaker, Sir, I am referring to the report on Kapedo, Mandera and Laikipia.

The Deputy Speaker (Sen. Kembi-Gitura): How much time are you asking for?

Sen. Adan: I am asking for 90 days so that we can have a comprehensive report.

(Sen. Wetangula spoke off record)

Sen. Adan: We are looking---

The Deputy Speaker (Sen. Kembi-Gitura): Order, Sen. Adan. Who are you responding to?

Sen. Wetangula, there is only one Speaker in this House at any one time. I do not think that what you are doing is right.

Can you finish this report in 60 days?

Sen. Adan: Mr. Deputy Speaker, Sir, we will try our best.

The Deputy Speaker (Sen. Kembi-Gitura): I will grant you 60 days, starting today, within which to compile the report.

Sen. Adan: Mr. Deputy Speaker, Sir, much obliged.

The Deputy Speaker (Sen. Kembi-Gitura): It is so ordered.

Let us go back to the Order Paper

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, pursuant to the provisions of Standing Order No.24 (6), the thanks of the Senate be recorded for the exposition of public policy

contained in the Address of the President delivered on Thursday 26th March, 2015, during the Special Sitting of Parliament.

(Sen. (Prof.) Kindiki on 31.3.2015 – Morning Sitting)

(Resumption of debate interrupted on 31.3.2015 – Afternoon Sitting)

*(The Deputy Speaker, (Sen. Kembi-Gitura)
consulted with the Clerk-at-the-Table)*

The Deputy Speaker (Sen. Kembi-Gitura): I notice that Sen. Bule had 10 minutes and he is not here.

Sen. Bule forfeits the balance of his time. I have a few requests. Who is “Temporary 3?”

Please proceed, Sen. (Eng.) Muriuki.

Sen. (Eng.) Muriuki: Mr. Deputy Speaker, Sir, thank you for giving me the opportunity to contribute to this Motion. The President in his Address, enumerated a lot of progress which has happened in the last two years, among them, the new Standard Gauge Railway (SGR) line, many highways and the amount of power in the country has been enhanced, over and above the cost coming down by 30 per cent. This is very commendable. Also, the *per capita* income has also gone up from around US\$400 to over US\$1,000. This is also commendable and shows that the Jubilee Government is doing a good job. The President and his team have a long way to go. Whereas we appreciate the progress achieved this far, a lot of this progress and the economic development does not seem to be reaching the grassroots.

I am an ardent listener of the BBC programmes, in particular, the economist analyst which is aired every week. The last week’s programme in BBC had a very clear analysis of the world poverty status. Some 20 years ago, there were economic goals in the world and among them was to reduce the poverty levels by 50 per cent by the year 2017. By then, the figure quoted was that the people living below the poverty line, meaning below US\$1.25 per day, were about 42 per cent of the citizens of the world. This percentage has gone down to 18 per cent two years ahead of time.

The disaster is, in Africa, although the world poverty level has come down from 42 per cent to 18 per cent, the actual poor people have gone up. When you hear that particular analysis by the BBC, the analyst quoted Kenya and Tanzania as example of countries which are enjoying very good economic growth but the number of actual poor people has gone up. According to him, the real reason is the type and model of the development we are doing. This model is not carrying the citizenry along. Economic development is happening but the poor people are increasing. This means that the President and his team have more homework to do.

Mr. Deputy Speaker, Sir, recently, I witnessed a small accident at an inter-change near Bomas of Kenya where a pedestrian was knocked down by a vehicle. I pass through that inter-change often but when I look at it after this accident, I could see that a grand project had been done but the designers forgot that there are pedestrians and bicycle riders. These are the things we are saying that the citizenry should be carried along otherwise we shall continue singing development but the citizens are left behind.

Regarding corruption, in my view, the President has taken the right step and the right direction but it is not going to be a walk in the park. First of all, whoever compiled this list seems to have been called to do it so that the President can deliver a speech. When you look at it, there is a lot of lack of seriousness. In my view, there is nothing new in this list. We have heard it before and the only new thing is that it is part of the Presidential Address in the State of the Nation address to Parliament.

People being named in various misdeeds and stepping aside is also not new. We had this in the past but after a while, they come back and we are not told what happened. Maybe this is just another circus and we appeal to the President to be serious this time round. Some of the aspects of calling various personalities to step aside makes a lot of sense because if you are in charge of an institution or a Ministry and you are accused of some wrong doing, if you continue being in charge, you will interfere with investigations.

If you tell a Member of Parliament to step aside, I do not know the meaning of that because there is no investigation being done on the Member of Parliament *vis-à-vis* his or her position in Parliament. Maybe, one can resign if he or she is a Member of a committee. The others, including the governors, must give way so that the investigators can go on without interference and unravel whatever the accusations are so that if there is a case, it is followed to the end and if it is just whims, it is done away with and we stop tarnishing the good name of the person.

Mr. Deputy Speaker, Sir, scientists tell us that if a disease affects a species consistently for some time, after so many generations, it becomes part of that animal or that species, be it an animal or plant. I think this is what has happened in our country. Corruption has now become part of our fabric. Last year, a Member of Parliament was accused of things he did before he was elected to Parliament and the people on the ground were behind him. The argument was, "he is very good because when he steals, he gives us." This kind of attitude is not good because thinking that if a person comes to steal goats in your father's *boma*, he is a good person because when he slaughters the goats, he gives you the meat. That is very foolish thinking.

We have also been known to praise public thieves; people who are lucky enough to be given responsibilities of managing a major corporation. When they steal money we praise them. When you look at many of the senior people who are listed and their pictures put in papers, if you listen to their reaction, they are surprised. They are not sure whether we are serious about what we are saying. The reason is that when one is appointed in our country to some of those positions and you do not steal, you actually look foolish. That is how far our country has come in terms of corruption. Most of the people who are mentioned deny any wrong doing.

Mr. Deputy Speaker, Sir, maybe it is good to quote the former President Kibaki, when at one time the Government was doing a lot of work in terms of infrastructure, some people were talking carelessly and pushing the Government to a corner. So at one time, the former President said if everybody is seeing the projects going on, who is doing it if not the Government. It is also good to ask the same question now; are public funds being stolen in our country? Each and every person is denying any wrong doing. So, the question is: If the money is being stolen and it is not you, is the money stealing itself?

Mr. Deputy Speaker, Sir, there is also the other aspect where people are defending others by saying that so-and-so is not supposed to be on the list because they are working hard. We are missing the point completely. We are not saying they are not working hard.

In fact, that is what we want of them but you do not put your fingers in the till in the process of working hard. Others are saying that they know the person and he has not stolen. How do you know and yet you are not in that institution where he has been accused?

Mr. Deputy Speaker, Sir, it is a good idea for us to give the President a chance. Let him do what he is doing. He should also know that we do not want to witchhunt. The names are too many. Much as the whole thing has gone into our fabric and it can come out, it is also good to be clear. When you see the same names, the same crimes, the same positions and the same things which we were told five or ten years ago, then it is about time that the Ethics and Anti-Corruption Commission (EACC) did something if they are serious. I call upon the President to do what he is doing. We are fully behind him. However, he has to understand that to overhaul the chemistry of how we do things in our country is not a simple matter.

With those few words, I beg to support.

Sen. Okong'o: Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to make a few remarks on the Presidential Address. On the outset, I will touch on various aspects which the President talked about starting with insecurity. The President spoke widely on how he will tame the dragon of insecurity in the country. On that, we have to give him time considering that this is his second year in office.

Mr. Deputy Speaker, Sir, on health care, the President mentioned a number of issues which affect our people. Much more needs to be done considering that the health sector has been devolved. This requires that we have a balancing act. This House and the National Assembly should come up with a very clear law which regulates the medicare personnel who help our people considering the fact that most counties have disparities in terms of payments to health workers. This has become very difficult for health workers and professionals who have the same qualifications. Even transferring from one county to another has become a big problem.

On the contracts which were given to multinationals to supply major equipment to our country, that is a laudable act because it might help. Governors who have opposed this idea need to know that Rome was not built in a day. They need to deal with the functions which they have been given effectively. The national Government has the capacity to contract matters of national level.

Mr. Deputy Speaker, Sir, on the issue of agriculture, the President talked about the modalities he is putting in place. I do not understand why successive governments start their projects afresh instead of continuing with the previous Government's projects. I am surprised that the Jubilee Government has forgotten about Vision 2030. The Government does not even talk about it. We are being told about the Jubilee programmes.

The Kibaki regime started very effectively on the road towards Vision 2030. It is very important for successive governments to pick up with positive aspects of previous governments instead of waking up one day to start fresh programmes. This is an act of corruption. We need to follow effectively projects which started on a right path. I did not hear the President talk about the steps that were attained during the transition stage.

Mr. Deputy Speaker, Sir, conspicuously missing from the President's Speech was the issue of unemployment. I did not hear anything, in the whole Speech, about unemployment; which is a time bomb in this country. That is an issue which needs to be addressed subsequently so that the youth who are almost 70 per cent of the populace in

this country can be assured of the way forward and the mechanisms that have been put in place by the Jubilee Government to address the situation.

On education, the President talked about the mechanisms taken regarding the Free Primary Education (FPE) programme and all the other issues. However, most principals stick to the old fees structures. The principals and the union of teachers are adamant. The President did not come out clearly on this. We want, in the subsequent addresses to this nation, to be told exactly what is being done in the education sector. We do not have to hear about promises for the sake of it.

Mr. Deputy Speaker, Sir, the issue of *per capita* income vis-à-vis the growth of the economy is not felt by the lower cadres. Maybe a few who are rich in this country are enjoying the facilities and developments. My friend who is not here said that the fact that most people wear shoes is a show of growth. I do not think that is a sign of growth. The *mitumbas* are available for people to purchase. If many people wear such *mitumba*, that does not mean that there is growth in the country.

Moving to the second aspect of the attached catalogue from the EACC, as a lawyer, I am surprised by the weight which has been given to this document. I consider this a whistle blower's document. Looking at the first pages of the document, you will see that the EACC has given a proposal. They want their money and workforce to be increased. I wonder whether the document was essentially meant for the President to act on. It is like somebody threw it to the President, like in the movies; a grenade and the President picked the grenade before explosion and he threw it back to Parliament and the people of Kenya who have been crying for an effective fight against corruption.

Mr. Deputy Speaker, Sir, when you look at the document, for instance, you see captions and phrases like, "under investigation," "preliminary," "file completed," "to be forwarded to the Director of Public Prosecutions (DPP)" and "evidence analysis." This is a document that will jeopardise the jobs of some of people and cadres who spend time toiling and moiling to be wherever they are only to be tainted and be asked to step aside by virtue of being mentioned in a document which is not really extensive. As a lawyer, I consider that a whistle blower's document. It is sad for the President to have brought it to Parliament and tell Kenyans that we will slay the dragon of corruption.

Mr. Deputy Speaker, Sir, many years ago, you as well as I do know that the bungled judicial radical surgery which was done by Sen. Murungi, when he was the Minister for Justice and Constitutional Affairs, was a total mess. In fact, the surgeon abandoned the patient on the operation table. Since then nothing much has been done other than the many issues we have seen like people going to court to be given money. People were given money while they fought these issues.

Mr. Deputy Speaker, Sir, looking at the second aspect of the vetting of police officers which is going on right now, the Chairperson of the National Police Service Commission, Mr. Kavuludi, who makes police officers cry has been mentioned in this whistle blower's dossier. What does that mean? This means that the steps informing the police in this country will be halted to some extent if Mr. Kavuludi is alleged to be corrupt. That is not the way to go. When the President speaks, people take him seriously. However, for him to have come with a document like this one is very sad for this country.

Kenyans have lost faith in the EACC and the DPP. Everybody has lost faith in these agencies. The citizenry who wallow in poverty down there are watching keenly. If this country is not going to take active steps and assure Kenyans that we are going to

fight for equity and justice for all in this country, then I am afraid that one day, we might have no time to salvage this legacy.

This catalogue has a mixture of economic crimes and petty offences. For instance, the case of hon. Alfred Keter shouting at police officers is an issue of integrity under Chapter Six of the Constitution. This gentleman should have been arrested, taken to court and charged for misdemeanor. He would have paid a fine of Kshs500 for that. There is no point including his name in this report and saying that this is a big dossier. That is a joke.

Sen. Khaniri: On a point of order, Mr. Deputy Speaker, Sir. Is the distinguished Senator in order to insinuate that violation of Chapter Six of the Constitution is a misdemeanor? That is a very serious crime.

Sen. Okong'o: Mr. Deputy Speaker, Sir, maybe my good friend was not very keen. I just mentioned that causing disturbance is a misdemeanor. It is a simple offence, even it touches on integrity under Chapter Six of the Constitution. Those police officers could have arrested hon. Alfred Keter and taken him to court. Maybe my friend does not understand the legal implications of such offences and fines applicable. Those are not issues to be captured as corruption. Chapter Six of the Constitution does not indicate clearly the issues to be dealt with. That is why even if I support the Constitution, I think that the activists who included some of these captions did not indicate ways of taming issues like these. How many Members of the County Assemblies (MCAs) have we seen flouting this provision and they have gone scot-free?

Mr. Deputy Speaker, Sir, this country requires a healing process, but the dragon of corruption must be dealt with effectively, efficiently and conclusively. There are 60 days that have been given by the President for these cases to be determined. Which courts are going to sit and conclude these matters in 60 days? The Anti-Corruption Court is under-equipped. The Director of Public Prosecutions (DPP) has indicated that he requires over 70 lawyers. Where is the Ethics and Anti-Corruption Commission (EACC), which is embroiled in infightings, going to sit? This was a sham.

Mr. Deputy Speaker, Sir, I beg to note.

Sen. (Prof.) Lonyangapuo: Mr. Deputy Speaker, Sir, I want to join my colleagues in congratulating the President for the Speech that he made last week. He mentioned that it is his constitutional obligation to address a sitting of Parliament once every year and at any other time. He cited Article 132 of the Constitution which supported his coming to give his Address.

Mr. Deputy Speaker, Sir, the President mentioned many pertinent issues regarding the state of our nation. He talked about Kenya being one of the fastest growing economies now in the world, which is of particular concern to Kenyans. He said that we are the largest non-mineral driven economy in Sub-Saharan Africa. This means that in case we go into mineral processing and development, Kenya will move from a middle income country to first world.

Kenya has potential in processing the minerals that we have. A lot of iron ore is found in Taita-Taveta County at a place called Mwanjala. A lot of it is exported to China nearly every week to be processed, yet we could also come up with our own steel industry. We also have a lot of coal in Mui Basin in Kitui and some parts of Meru. This country would be one of the fastest growing economies in the world and our youth who are idling would be working. We have talked about royalties that have accumulated as a result of the dedication of the Ministry of Mining.

The President went ahead to talk about oil and gas that is being explored now. In Turkana County, there is a lot of exploration going on at a place called Ngamia 1. With time, this nation will develop very fast. I concur with Sen. Mong'are who said that the Vision 2030 identified the processing of minerals as the key driver of our economy if we put them into use. The Address compares our economy with countries like China and Philippines. It says:-

“Earlier this month, of the 57 fastest-growing economies ranked by Bloomberg, Kenya was the third fastest growing economy behind China and the Philippines.”

This means that we are on the right track. We only need to tighten our belt. The people who are driving key sectors of our economy, particularly the human resource must do what is expected of them.

The President talked about a lot of business - large and small – which are expanding and creating job opportunities across the country. But there are challenges that we are facing as a result of the creating of counties. There are many mini-toll stations that have been created by some counties when it comes to the transportation of some goods from one county to another by road. They impose a levy on every lorry that moves from one county to another. These are some of the issues that the national Government needs to address, so that they are harmonized. Taxation can be done in the factory rather than on the road. These taxes may end up harming our economy.

Many primary schools in my county are now getting connected to electricity. The President said that we have a huge number of public primary schools that have now been connected. Also, 21,458 primary schools have constructed Information and Communication Technology (ICT) hardware storage rooms, maybe in preparation for the laptops. I hope that the relevant Ministry will ensure that this ICT equipment and storage rooms will be constructed equally across the counties. In my county, I am a very keen academician and Senator. I have not seen any ICT hardware storage room in any school in my county. Where are these 21,458 primary schools with hardware storage rooms? The officers in charge of implementation of this programme should ensure equal distribution of the same, so that our country can move at the same pace.

Mr. Deputy Speaker, Sir, I note with a lot of satisfaction that the President talked about the implementation of the free primary school education. This was started by the previous Government and the current Government is implementing it. However, there is a big challenge in the pastoralist areas. When we are saying free primary school education and we have challenges like hunger, drought, cattle rustling and a number of cocktail of problems that are associated with these, children in some counties are not enjoying free primary school education.

Therefore, I call upon the Government and the county governments to come up with specialized and tailor-made strategy on how to implement the free primary school education, for example, building boarding schools rather than having nomadic ones that are mobile in some pastoralist region. I know if we can build boarding primary schools and avail teachers and teaching equipment that are required, the effects of free primary education will be actualized even in the secondary schools. We need to have equal distribution of what we have started as a Government so that it is felt everywhere.

Mr. Deputy Speaker, Sir, the President talked about the Standard Gauge Railway (SGR) line and said that over 600 Kilometres have been covered but the challenge,

which I hope the relevant Ministry is looking at keenly, is whether the Government is implementing this SGR and very soon the locomotives are going to be on it. What do we do with lorries and their owners who have invested heavily into this business?

At the same time that this is being done, we should bring these people on board and see how their losses can be minimized because some of them end up stalling these projects that we have around when it comes into fruition. We talk of the Lamu Port Southern Sudan-Ethiopia Transport Corridor (LAPSSET) and the ambitious plans that are there. We are hearing little of LAPSSET nowadays but it was very pronounced and prominent in the previous Government. We want it to be upped, so that the road from Lamu to Isiolo - we were talking of a city. Suppose that city had been built by now, some of the problems that have been in Mandera, Turkana, Pokot and elsewhere, some of these people would have felt and witnessed the effect of the changes and working in the current world.

Mr. Deputy Speaker, Sir, I see some counties have been mentioned, like Sen. Billow said yesterday, as being ethnic. It says leaders have been fighting over some counties and that they are ethnic. This Senate has a big challenge; it is not Narok, Embu, Mandera and Marsabit alone that have these challenges, it is almost in every county. When we were forming these devolved units, the 30 per cent rule that was supposed to be subjected to employment in every county has failed. It is being implemented in the national Government. In some counties, people can even talk in their vernacular.

This is a tragedy because you cannot have people running business like that yet we belong to the same country. We should come up with a law that compels every county to employ people from all the other 46 counties, so that we have a mixture of everybody.

I was very happy to learn that the Head of State gave an apology and mentioned that there would be compensation or some payment to some people that were affected like the Wagalla Massacre. There was an infamous operation that was conducted in the North Rift, particularly in West Pokot in 1984. When the people of that county recall the operation of 1984, they called it "Nyundo Operation". They wonder whether the type of force that was used on them is really what should be used on the citizens. I know problems are there but we should not do it in such a way as though you intend to kill.

We hope that there is a list for the people of West Pokot that were affected, so that they can also benefit from this. As I move towards this list that is attached here indicating and showing about the level of corruption in our country - For the last week, our media has been full of speculations and now the names have come up, people's faces have been put in the front pages of the newspapers because of corruption. I think because of the level of our greed and tolerance, we have allowed our country to move to this level where the President was forced to bring a document that looked like a working document for the Ethics and Anti-Corruption Commission (EACC).

Mr. Deputy Speaker, Sir, if you look at this document, like Sen. Mong'are talked about, the EACC was not supposed to tell us about the troubles they are going through but to give us a list of the people that they are working on. But to go ahead and tell us and I quote that: "Allocation of adequate resources to the EACC." That is what they are asking. I thought when they are doing their budgets, they are supposed to take them to the Budget Committee, but not to bring it here or take to the Head of State. They mentioned that they have low morale and that these cases cannot be conducted because they do not

have enough money, they want to be given the remuneration structure and that the investigative reports are not adequate.

Suddenly, they end up attaching this addendum showing how inadequate they are because it says “allegations that he irregularly facilitated disposal of this”. This means that EACC has failed to do what the whistle blower gave them. I expected them, just like we all expect, to process and confirm whether these allegations are true or not. If they are true, they proceed to say tangibly this has been discovered and that it has been committed by the officer and then they list and further proceed the way they have done. If we read some of these things, we look like we have a Commission that needs to be disbanded today so that we create a new one.

The Deputy Speaker (Sen.Kembi-Gitura): Order, Senator. Your time is up.

Sen. (Dr.) Machage: Bw. Naibu Spika, leo twajadili kuhusu Hotuba iliyotolewa na Rais. Hotuba hii ni ya pili tangu Bunge la Seneti liundwe. Alisema mambo kadhaa na ilikuwa Hotuba ndefu ya maana na ilitukumbusha mambo mengi. Alitwambia mahali tunatoka na pale tunaenda. Pia, alisema kuwa uchumi wetu ulikuwa katika mwaka wa 2014 hadi kwamba ukigawanywa kwa kila mtu, unawezapata US\$ 1,246. Sisi tena sio mkia wa nchi za uchumi, tuko katikati, tunasonga mbele. Leo Kenya inatambulika kama inayokua kiuchumi kwa kasi kwa asilimia sita, ikiwa nambari tisa kwa nchi za Africa. Alisema kwa nchi 57 ambazo zinakua kwa uchumi wa kasi ulimwenguni, Kenya inaodhoreshwa kwa namba tatu.

Rais alisema kwamba nguvu za umeme zimesambaziwa wananchi kutoka asili mia 26 hadi asili mia 37 na, kwa hayo, yuastahili kupongezwa kwa sababu haya ni mambo yanayoashiria maendeleo. Rais pia alitaja mashule na ukuaji wa mashule. Pia, alitaja mambo ya utawala, barabara na mpango wa Lamu Port–South Sudan–Ethiopia Transport (*LAPPSET*) na tumefikia wapi hadi sasa. Rais pia alitaja mambo ya kusaidia kutoa vifaa kwa hospitali zetu, mpango ambao Serikali itatumia hela nyingi ambapo karibu hospitali 94 katika kaunti 47 zitafaidika, na kwa hayo, twamshukuru.

Bw. Naibu Spika, Rais pia alitukumbusha kwamba lazima tuwe wazalendo, lakini akalalamika kwamba ingawa anataja na kutoa mwito kuwa tuwe wazalendo, kuna sehemu nchini ambazo usalama umeathirika kwa hali mbaya. Alitaja sehemu kama Narok, Embu, Mandera, Marsabit, Tana River na kadhalika, lakini kuna sehemu nyingi zaidi kuliko hizo alizotaja. Rais alitoa wito kwamba kuwe na amani na kuwa sio vizuri kwa watu kupigana. Alisema kuwa ni lazima kila mtu awajibike katika kudumisha usalama wa nchi yetu. Vile vilie alingazia historia ya nchi ya Kenya na hatari zilizopo kwa kutokuungana.

Rais alitaja Katiba katika kipengele cha Kumi ambacho kinatoa wito wa umoja wa taifa. Rais alitaja wakati wa uchaguzi wa mwaka wa 2007/2008 kulipokua na utovu wa usalama, ambapo watu 1,300 walipoteza uhai wao ilhali 650,000 wengine waliathirika kwa kukosa makao. Hilo halikuwa jambo jema kabisa. Lakini kwa hayo yote, Rais aliwaomba wananchi wa Kenya msamaha kwa niaba ya Serikali zote zilizokuwepo, tangu Uhuru mpaka sasa. Ndio maana mimi husema kwamba wakati mwingine, viongozi huingiwa na roho mtakatifu.

Nafikiri siku hiyo, Rais aliingiwa na roho mtakatifu ndipo akatuomba wananchi wa Kenya radhi kwa maovu yote yaliyotekelezwa na kutendwa na Serikali na viongozi waliopita, kuanzia Serikali ya babake, Mzee Jomo Kenyatta; Serikali ya Moi na Serikali ya Kibaki. Sijui kama wale marais aliowaomba msamaha ambao bado wanaishi

watajitapa na kusema kwamba “Kijana alifanya vizuri kutuombea msamaha” ama watanyamaza tu kama ilivyo kawaida. Lakini hivyo ndivyo Rais tuliye naye wakati huu alivyo.

Bw. Naibu Spika, mwishoni, Rais alitaja mambo yanayoendelea wakati huu, hasa mambo ya ufisadi; aliyakemea na kutuambia kwamba yuko na ripoti iliyopendekezwa kwake na Tume ya Kupambana na Ufisadi (*Ethics and Anti-Corruption Commission (EACC)*). Alituambia kwamba yuatupa ripoti hiyo sisi Wabunge ili tuisome vile ilivyopendekezwa kwake, tutafakari na tuamue vile tutakavyofanya.

Wabunge wengine walisema “O, sio vizuri kwake kupewa ripoti kama hii;” lakini sio kosa lake! Sheria inasema kwamba EACC yafaa itoe ripoti mbili; moja iende kwa Rasi na nyingine ije Bunge. Kwa hivyo, Rais alipokea ripoti hii na akaileta hapa Bunge kupitia kwa Hotuba yake na akaifanya iwe kibandikizo cha Hotuba yake. Je, kosa alilofanya ni lipi? Alipoona imekuwa uzito kusoma ripoti hii, akaipendekeza kwa Bunge la wenye hekima ili kuyatafakari yaliyomo.

Bw. Naibu Spika, nimeisoma ripoti hii; ni aibu iliyoje kuona kwamba wale viongozi walioheshimika katika Kenya hii wametajwa hapa kwa kuiba pesa za umma? Ni aibu iliyoje kwamba hata Gavana wangu wa Migori anatuhumiwa kuiba Kshs600 million kutoka katika kaunti ambayo ni masikini? Sijui nicheke au nilie; nalaani kitendo hicho kama Seneta wa Migori. Kwa bahati mbaya, kuna watu wengine katika Seneti yetu waliotajwa katika ripoti hii, Sen. Orengo akiwa mmoja wao. Tumeona kuwa amefanyiwa unyama kwa kudai haki ya marehemu babake. Ripoti hii yasema kwamba kuna Seneta mwingine mwenzetu aliyenyakua zaidi ya Kshs1 bilioni. Nadokezewa kwamba ikiwa nimezaliwa leo, nikianza kuhesabu pesa hizo, nitazihesabu moja, mbili, tatu, nne mpaka ufike miaka 83 ndipo utamaliza kuhesabu Kshs1 bilioni!

The Deputy Speaker (Sen. Kembi-Gitura): What is your point of order, Sen. Okong’o?

Sen. Okong’o: Bw. Naibu Spika, nimemsikia Sen. (Dr.) Machage akitaja kwamba kuna Seneta mwenzetu aliyenyakua Kshs8 bilioni; je, anaweza kumtaja ni Seneta gani aliyenyakua hela hizo?

The Deputy Speaker (Sen. Kembi-Gitura): Order! Has he mentioned anybody’s name?

Sen. Okong’o: Bw. Naibu Spika, amesema “Seneta” na hili ni Jumba la Maseneta. Ni muhimu atuelezee ni Seneta yupi ambaye analengwa na ripoti hiyo.

(Laughter)

The Deputy Speaker (Sen. Kembi-Gitura): Maybe you can help me, Sen. Okong’o; what Standing Order are you quoting? Let us work on this together; tell me what you are referring to.

Sen. Okong’o: Bw. Naibu Spika, katika hiki kitabu chetu tunachotumia---

(Laughter)

The Deputy Speaker (Sen. Kembi-Gitura): Hiki kitabu tunachotumia kinaitwa *Standing Orders!*

Sen. Okong'o: Bw. Naibu Spika, ndio; Kifungu cha 90 cha *Standing Orders* kinachotaja kwamba ukitaka kutaja jina la kiongozi yeyote--- Ni Kifungu cha 90(4).

Sen. (Dr.) Machage: Bw. Naibu Spika, kwa heshima na taadhima kwa kiongozi mwenzangu, mimi sikumtaja mtu yeyote; nimedokeza tu! Lakini kwa sababu anataka---

The Deputy Speaker (Sen. Kembi-Gitura): But, Sen. (Dr.) Machage, if you look at Standing Order No.90(4), you used the words a "Senator;" you said "*kuna Seneta ambaye---*;" those are the words you used. Now, we are a House of the Senate and there are only 67 Senators; I think you might have to either substantiate or withdraw that specific statement because it is the reputation of the House also.

Sen. (Dr.) Machage: Bw. Naibu Spika, leo tunaangaza mawazo yetu---

The Deputy Speaker (Sen. Kembi-Gitura): I can hear some Senators saying that it is the report; is that right? But then if it is in the report, refer me to the specificity because that would then be substantiating.

Sen. (Dr.) Machage: Naja hapo, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kembi-Gitura): No, I want us to deal with Sen. Okong'o's issue now.

Sen. (Dr.) Machage: Naja hapo, Bw. Naibu Spika; subira huvuta heri. Nisikize---

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The Deputy Speaker (Sen. Kembi-Gitura): Sen. Machage, I am not asking you for an explanation. Your Swahili is---

Sen. (Dr.) Machage: Bw. Naibu Spika, nataka kujibu.

The Deputy Speaker (Sen. Kembi-Gitura): Yes, can you do that now, please?

Sen. (Dr.) Machage: Bw. Naibu Spika, tazama ripoti hii katika ukurasa wa 16 kuhusu Waziri Chirchir. Niruhusu niendeleo, huyu atasoma baadaye; amesoma sana huyo.

The Deputy Speaker (Sen. Kembi-Gitura): Ukurasa upi?

Sen. (Dr.) Machage: Ukurasa wa 15 au wa 16, soma hapo.

The Deputy Speaker (Sen. Kembi-Gitura): It will make your work very easy if you just make a reference and say that is it. This is a public document now and there is no issue. But if you talk about a Senator, then we do not know whether you are talking about any of the 67 of us.

Sen. (Dr.) Machage: Bw. Naibu Spika, nimesema tutizame ripoti ya Waziri Chirchir. Iko hapa, mtaisoma. Lakini---

The Deputy Speaker (Sen. Kembi-Gitura): What is the point of order, Sen. Okong'o?

Sen. Okong'o: Bw. Naibu Spika, yale tunayoyaangazia hapa sio ripoti ya Waziri Chirchir lakini tunaangazia ripoti ya *Ethics and Anti-Corruption Commission* (EACC), aliyopewa Rais. Kwa hivyo, Sen. (Dr.) Machage akitueleza kwamba ni ripoti ya Waziri Chirchir, nadhani anatupotosha.

Sen. (Dr.) Machage: Bw. Naibu Spika, ningependa tutizame ukurasa wa 15 wa ripoti hii katika aya ya kwanza, mstari wa mwisho. Ninanukuu kwa kiingereza:-

"the tender was meant to corruptly yield US\$15 million, which was to be shared between Davis Chirchir and Senator Mike Mbuvi."

The Deputy Speaker (Sen. Kembi-Gitura): What is your point of order, Sen. Sang?

Sen. Sang: Mr. Deputy Speaker, Sir, the same sentence quoted by Sen. (Dr.) Machage says the tender was “meant” which means that the said Senator did not---

The Deputy Speaker (Sen. Kembi-Gitura): What is your point of order?

Sen. Sang: In his comments, he said that the Senator “*alijinyakulia*,” but reading from this, it means that it did not materialize. So, it is just an allegation and it is important that he makes that clarification that he did not actually get the Ksh 1 billion, or whatever it is.

The Deputy Speaker (Sen. Kembi-Gitura): Yes, it is good that we get everything in context, Sen. (Dr.) Machage.

Sen. (Dr.) Machage: Bw. Naibu Spika, nilisema hivi; ni aibu iliyoje kwamba wenzetu wametajwa katika ripoti hii? Naomba ninukuu vizuri, hata nikasema kwamba Sen. Orenge ametajwa kimakosa kwa sababu anadai urithi wa babake, ambayo ni haki yake. Ilhali imeandikwa hapa kwamba yeye ni mfisadi kwa kudai haki ya babake, na kadhalika. Ndipo sasa nikaulizwa niseme hawa wengine ni kina nani; basi mmesoma kwa ripoti. Yaliyomo katika ripoti hii---

(Sen. (Dr.) Machage spoke off record)

The Deputy Speaker (Sen. Kembi-Gitura): Order, Senator! Your time is up!

Sen. (Dr.) Machage: Mr. Deputy Speaker, Sir they took a lot of my time in their points of order.

The Deputy Speaker (Sen. Kembi-Gitura): I will give you two minutes because of the time taken in the interruptions.

Sen. (Dr.) Machage: Yaliyomo kwa ripoti hii yamedokezewa kwetu na Rais mwenyewe, tuyasome, tuyaelewe na tuyachunguze. *Ethics and Anti-Corruption Commission* wamesema watayachunguza. Wamepewa muda wa siku sitini kufanya vile, lakini hizo ni chache; lakini huo muda ndio waliopewa. Wako na wafanyikazi wa kutosha na tunatarajia watupe ripoti kamili kwa muda wa siku sitini. Hiyo ni amri ya Rais wa nchi hii.

Kwa ufupi, sioni makosa Rais alifanya kwa kutupa ripoti hii; ilikuwa ni wajibu wake atuambie yaliyo kichwani mwake na yale mazito aliyokuwa nayo akatudokezea sisi tuyafikirie ndiposa akatupa ripoti hii tumsaidie kimawazo. Kweli, kuna mengine ambayo hayastahili kabisa kulingana na vile yalivyoandikwa, lakini uchunguzi uendelee, ufanywe kwa undani na tuambiwe ukweli. Ni jambo la kusikitisha, kushangaza na kustaajibisha kwamba mambo kama haya yanaendelea nchini; kwamba watu wanajirundikia mamillioni ya pesa. Waziri mmoja, kwa shamba moja pale pwani, anajitakia Kshs65 milioni kama rushwa na mwenye shamba apewe Kshs 48 milioni. Hayo ni maajabu. Huo ndio kweli unaendelea Kenya. Wale Magavana ambao wamekataa kung’atuka kazini basi wapelekwe kortini; wakishafikishwa huko basi watang’atuka wenyewe.

Naunga mkono ripoti hii kwa dhati.

The Deputy Speaker (Sen. Kembi-Gitura): Your time is up. Thank you.

Proceed, Sen. Mositet.

Sen. Mositet: Asante sana, Bw. Naibu Spika, kwa kunipa ruhusa niweze kuchangia Hotuba ya Rais aliyoitoa kwa Bunge wiki iliyopita. Rais aliwajibika kikatiba na akazungumzia taifa lote kutoka Bunge. Aliyazungumzia mambo ambayo Serikali yake imefanya na yale ambayo yatafanywa. Rais alichangia na kusema kuwa Wizara, kama ni

ile ya barabara, yale ambayo serikali ishafanya na kweli tushaona yamefanyika na yale ambayo itafanya kama mradi wa Lamu Port-Southern Sudan-Ethiopia Transport (LAPSSET) ambao utafungua upande ule mwingine wa nchi. Pia, alisema kuwa uchumi wa kitaifa umepanuka, na ni kweli. Hata kule chini, tangu pesa za ugatuzi kuanza kwenda kule kwa kila kaunti, wananchi wanahisi pesa zile ambazo zimeenda kule mashinani.

Bw. Naibu Spika, Katiba yetu inatambua kwamba kuna Seneti na Bunge la kitaifa na wale waliochaguliwa ni watu walio na hekima, hivyo basi wakichangia, watachangia kwa hekima kweli kweli. Rais wetu alitueleza yale yote ambayo Serikali imefanya, ambayo ni ya ukweli kabisa. Tumeona kuwa shule nyingi zimepata nguvu za umeme; ni chache tu ambazo hazijapata huduma hii. Hasa katika kaunti yangu ya Kajiado, shule nyingi za msingi zinajivunia huduma ya nguvu za umeme. Ingekuwa pia vizuri iwapo Serikali itajaribu kuhakikisha kuwa mabwawa ya maji yaliyoko karibu na shule ama yale ambayo wananchi pia wanatumia, nguvu za umeme pia zifikishwe pale ili tuwasaidie watu wetu wanapoteka maji.

Pia, tuliona ile kazi ambayo Wizara kama ya Barabara na Uchukuzi inafanya katika Jomo Kenyatta International Airport (JKIA). Lakini ni vizuri wakati mwingine pia Wizara ziwe na mikakati ya kukabiliana na janga kama lile la moto lililofika pale Jomo Kenya International Airport. Tunafurahia kazi nzuri ambayo inaendelea pale na ujenzi mzuri na wa kisasa ambao unatupa sura nzuri kama Kenya na tunaweza kujivunia mradi huu utakapokamilika. Ni vizuri wale wanaopewa jukumu la kufanya kazi wawe na mipango mizuri ili tuwe tayari kukabiliana na janga lolote.

Rais pia alizungumza kuhusu changamoto ambazo tunazopitia. Watu wanajaribu kujitenga kikabila. Alisema hakuna kitu kizuri kama sisi kuwa kama jamii moja. Itakuwa vizuri, kama viongozi, watachangia na kusaidia taifa hili liwe na umoja.

Kwa hekima na kunyenyekea, Rais aliomba msamaha kwa niaba ya Serikali za awali kwa makosa ambayo ziliwatendea Wakenya. Hilo lilikuwa jambo la busara sana. Rais alijishusha chini ili aombe msamaha. Ningependa kumpongeza Rais. Kama Wanakenya, tunafaa kujivunia Rais wetu. Yeye aliomba msamaha na hatufai kufanya mambo ambayo yatachangia kuharibu njia ambayo baba taifa ametuonyesha.

Nimesikia wengine wakisema kwamba watu wanafaa kuanza kupewa haki zao. Lakini, kule kuomba msamaha ni haki kubwa sana. Rais pia alisema kuna kiasi fulani cha pesa kitatengwa kama fidia kwa waathiriwa. Hiyo ni sawa. Mambo mengine aliyozungumzia yanahusu Katiba. Kama kuna watu ambao walikosewa na ambao ardhi yao ilichukuliwa kwa njia ambayo haifai, tuna Katiba ambayo inatuongoza kuyarekebisha.

Kuna *National Land Commission* (NLC) ambayo pia inaweza kufuatilia mambo kama hayo. Nina hakika pia, kama mmoja wa jamii ya Kimaasai, wakati utafika ambapo tutapewa haki zetu. Ardhi kubwa katika Kenya hii ilikuwa ya Wamaasai. Hata Nairobi, mahali tulipo, palikuwa pao. Mbuga ya wanyama ya Nairobi inasimama katika ardhi ambayo ilikuwa ya Wamaasai. Tunajua wanyama wote ambao wanatoka Kajiado huenda hapo. Kwa hivyo, itafika mahali ambapo tutapewa ardhi hiyo.

Ilikuwa jambo la kujivunia tuliposikia Rais akiomba msamaha. Itakuwa vizuri kama Serikali itawapa chakula wale ambao wameathiriwa na njaa kama vile jamii ya wafugaji. Wakati huu ni mgumu sana kwao. Hata wakati tunapongea mambo ya maendeleo, kuna watu ambao wana shida za vyakula. Ng'ombe, punda, ngamia na mifugo wengine wanaona shida sana. Naomba Serikali ya taifa pamoja na serikali zote za

kaunti kuangalia na kuhakikisha kwamba watu hawaumii vile wanavyoumia sasa. Ikiwezekana, pesa zinafaa kutolewa ili watu na mifugo wao wasife kwa sababu ya njaa.

Wakati huu, kuna sehemu ambazo zimekumbwa na baa la njaa kabisa. Kwa mfano, tuna pande za Mosiro, Mashuru na Meto. Ningependa kumuuliza Gavana wa Kaunti ya Kajiado ashughulikie mifugo na watu ili wasiumie.

Ningependa pia kuuliza *Ministry of Water, Environment and Natural Resources* na *Ministry of East African Affairs, Commerce and Tourism* kushughulikia mbuga ambazo ziko katika nchi yetu kama vile Nairobi National Park, Kyulu na Tsavo. Umefika wakati ambapo Waziri anafaa kuwakubali watu kulisha wanyama wa nyumbani katika mbuga za kitaifa.

Serikali imefanya kazi kabisa. Tunajua kwamba pesa za ugatuzi zimewafikia wananchi. Wakati huu, hata vijana wetu wanapata karandasi hapa na pale. Ni vizuri tuone kwamba Rais wetu amewajibika kikatiba kwa kuhakikisha pesa za ugatuzi zimefika mashinani.

Rais alimalizia kwa kusema kwamba ana hofu kwamba baadhi ya watu ambao wamepewa nafasi ili kuwahudumia wananchi wa taifa hili wamegeuka kuwa waporaji. Tume ya *Ethics and Anti-Corruption Commission* (EACC) ilimkabidhi Rais ripoti ambayo Rais pia alitukabidhi.

Wiki moja iliyopita, Kamati ya Bunge ya *Finance, Commerce and Budget* ilikuwa Naivasha. Tulialika tume ambazo zinahusika na pesa ambazo zinatumiwa kwenye kaunti. Tuonelea kwamba Tume ya EACC na pia kitengo cha CID wanafaa kuja hapa kufanya uchunguzi. Lakini hatukupata watu kutoka vitengo hivyo viwili. Baada ya Hotuba ya Rais, tuliona orodha ambayo Rais alitoa. Jambo la kushangaza ni kwamba Tume hiyo imejaribu kufanya uchunguzi kuhusu watu fulani lakini imeshindwa. Hii inaonyesha kuwa Tume hiyo imeshindwa kufanya kazi yake. Tume hiyo ina watu hoi hae na hawana nguvu ya kufanya vile walivyoapa kuwafanyia wananchi wa Wakenya.

Ripoti hiyo ina majina ya Maseneta, Wabunge, Magavana wengi na pia wafanyikazi wengi wa Serikali. Lazima tujiulize kwa nini watu hawa tu waliwekwa katika orodha hiyo? Ingawa Tume hiyo ina dosari hapa na pale lakini watu waliotajwa lazima waajibike.

Waswahili walisema; palipo moshi hapakosi moto. Wale ambao wametajwa wanafaa kung'atuka nafasi zao ili wachunguzwe.

na kuzipa nafasi tume ambazo zinafaa kuwachunguza. Wananchi wanafaa kuona kwamba sheria inafuatwa. Tusiwe tukimfuata mwananchi wa kawaida anapoiba kuku au kunywa chang'aa na kumfunga kwa miaka kumi. Watu wa kawaida hufuatwa na kufungwa kwa miaka mitano au zaidi. Lakini wale ambao wamepora pesa ambazo zinafaa kuwahudumia wananchi hushinda kortini kwa miaka mingi. Hata baada ya kwenda kortini kwa miaka mingi, watu hawa huaga dunia kabla ya kesi zao kukamilika.

Tunavyosema hivyo, tunajua kwamba kesi za Goldenberg na Anglo Leasing bado ziko kortini. Waliohusika mbeleni pengine wamemaliza wakati wao katika dunia hii. Ni lazima pesa za wananchi ziwafikie na kuwapa huduma.

Rais alifanya jambo la busara kabisa. Rais alitupatia fursa ili kuchangia Ripoti hii kwa sababu alijua kwamba katika Bunge hili tuko na hekima ya kuweza kuangalia jambo hili.

Ninaunga mkono Hotuba ya Rais.

Sen. Munyes: Thank you Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the President's Speech which captured the mood of the nation. I remember standing up to applaud the President when he raised the issue of corruption, when he apologized to Kenyans and partly when he addressed insecurity. I think the apology covered the whole country.

The Northern Frontier District (NFD) which is now referred to as the ASAL area suffered after the country's Independence because the ruling elite that time knew the ASAL counties as unproductive. That area would be referred to as a "low potential region". We suffered a lot because of this marginalization. This was atrocious. It is better that person who is jailed for political reasons rather than that one who suffers underdevelopment for many years. The leadership of this country should apologize for what is happening in the northern part of this country. Devolution may help, but we were left behind because of the machinations of the previous regimes.

Mr. Deputy Speaker, Sir, I would like to applaud the President for a healthy economy. I can see growth all over this country. As a country, we need to---

(An hon. Senator interejected)

Every individual has a right of assessing how growth is defined in their region.

The Deputy Speaker (Sen. Kembi-Gitura): Order, Sen. Munyes. Just address the Chair and ignore your detractors.

Sen. Munyes: Mr. Deputy Speaker Sir, figures do not lie. We are told that we have a GDP of Kshs53 billion. In fact, we are ninth in the whole continent. I know that the economy of Turkana has really grown but not because of devolution because I know what devolution has done to Turkana.

The National Treasury gives Turkana County Kshs9 billion and somebody simply pockets that money. This Senate is to blame for this mess. Since devolution, Turkana County declared its intention to be corrupt. The executive in Turkana County varied the first budget. The estimates were taken to the County Assembly and approved but the governor decided to vary it and present something different. When the matter came here – I am also guilty – we pardoned the governor at that time.

He went again to do it for the second time and as I speak, when I look at this list, the Governor for Turkana has been charged with misappropriating only Kshs14 million and yet we have 50 charges against him which have been presented to the EACC. The executive officers' lifestyles have changed for the better. We have individuals who have built houses worth Kshs100 million. There are some individuals who have taken advantage of contracts being awarded in the oil industry to buy five Toyota Landcruiser VX model. I have never driven this type of car even in the ten years I was a Cabinet Minister.

Mr. Deputy Speaker, Sir, the Turkana call me stupid because they did not see me in the list of those who had stolen large sums of money when I was a Minister. They wonder what I was doing when everybody else in Government was stealing. They could be right, but I think that shows the level of corruption in this country. In Turkana County, there is lack of water, insecurity and we are underdeveloped. We have the highest allocation in the coming financial year and I do not know what excuse we shall have after

five years. The governors and the Council of Governors have gone to regroup to fight back.

We have taken lists of corruption cases to the EACC and the only thing they do is to photocopy them and pass them to the same governors. This is what I call impunity. We have taken them to court but they bribe the courts. When auditors come to Turkana County, they are usually taken to a resort in Lake Turkana and after three days, they are supposed to write a report. This is very frustrating. When the President released this Report, I was one happy person and Turkana is happy with what the Head of State did.

Mr. Deputy Speaker, Sir, I can remember what the National Assembly Majority Leader said yesterday; that when all the doors are locked, we may have to borrow a leaf from the actions of Narok County. The EACC cannot help us, the courts are compromised and the auditors are taken to resorts so as not to write a comprehensive report to fix crooks who are now banking their money in Uganda. They simply take two hours to drive to Muoroto or Kotido in Uganda to do banking. We should break their houses because they have hidden the money in their houses.

There was a case where a county water executive officer in charge of irrigation decided to delay water contracts for one year awaiting a drilling rig from South Africa so that she could clinch the contract. That is the kind of impunity that exists in Turkana County and it is very painful. A road construction for a sum of Kshs5 million is inflated to Kshs30 million. During the 2014 renovations of offices, painting them amounted to Kshs15 million.

The County Government allocated Kshs50 million just to do painting and the Governor pocked that money. We called officers from the Ethics and Anti-Corruption Commission (EACC) who came there and wrote a good report about him. There is so much to say, but I risk being boring. I do not know what our county will do on these matters. I think hon. Duale was right in saying that offices should be locked. People must actually get out of these offices if they have been named.

Let me move to other aspects of the Presidential Address. Electricity is what will spur economic growth in the northern part of our country, which is very dark during the day. Very few homes are connected to electricity. We need to expand our sources. Lake Turkana is really affected by the damming in River Omo, Gibe 1, 2 and 3. The Kenya Government has a contract with Ethiopia to supply electricity to Marsabit and other border counties. I have seen transmission lines closer to Turkana from the southern part of Ethiopia.

I would have expected the President to say that some parts of the northern Kenya will be covered by these agreements. We can have a bilateral agreement to ensure that electricity is supplied to those areas; given that we have lost our water anyway. The rest of the country will be benefit but we have lost water in Lake Turkana, because some Ministers went to Ethiopia and signed an agreement. I must say that we blame our friend, Sen. Murungi, who was the Minister at that time and those closer to him. Lake Turkana is a cultural lake that is protected for what it is. However, we just went ahead to give away our water, which is now affecting the lake.

Mr. Deputy Speaker, Sir, on insecurity, the President was shallow in his speech on matters of insecurity. I had expected him to invest on cattle rustling. In his Speech, it is mentioned in only two or three paragraphs. Recently, I talked to the Uganda Peoples' Defence Force (UPDF) Commander. I asked him what he thought in his view affected

Kenya as far as cattle rustling is concerned. He told me that we do not have the political will. He told me that in Uganda, the bull is held by its horns. If the Turkanas have raided the Pokots, you pursue the cattle into West Pokot and there is communal punishment. The first cows found in West Pokot are given back to the Turkanas.

In this country, the Turkanas have been finished by the West Pokots. So many Samburus have lost their lives because of the Turkanas. It is a vicious cycle. We are killing each other. Sen. Leshore is happy with what I have said but there is a serious matter in this country. It is a matter of national importance. It is not something to give ultimatums over and over; that in two weeks you want to do something as the Minister.

Mr. Deputy Speaker, Sir, President Museveni himself took it as his own responsibility and appointed his wife to be in charge of Karamoja. If it can work in Karamoja, it can work also in Kenya, if President Uhuru Kenyatta decides so. We have accepted to take the punishment. I know Sen. Leshore incites a lot; Sen. Munyes incites his community and Sen. (Prof.) Lonyangapuo is an expert in doing that and should be held responsible. It is a serious matter that is affecting the whole nation. We used to drive to Turkana but now you cannot drive from Kitale to Lodwar. You have to afford a Kshs30,000 return ticket from the Wilson Airport. How many Kenyans can afford that amount? The President should have done more.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Leshore, are you on a point of order?

Sen. Leshore: On a point of order, Mr. Deputy Speaker, Sir. Is the Senator from Turkana in order to say that I am an inciter? Sen. (Dr.) Kuti is my witness since I have given him 10 years of peace when we were Members of Parliament between Isiolo and Samburu.

The Deputy Speaker (Sen. Kembi-Gitura): I did not hear Sen. Munyes call you an inciter.

Did you call him an inciter?

Sen. Munyes: Mr. Deputy Speaker, Sir, the analysis of the National Intelligence Service (NIS) in this country blames all the leadership in the Arid and Semi Arid Lands (ASALs). So, I was just trying to challenge my colleagues; that there is a report that is coming from the NIS that all top leaders of the communities, because of political reasons, have engaged in incitement. It is incumbent upon us to help this country. I want to own it also as a leader in Turkana that we must talk to our people.

The war on corruption and insecurity is getting out of hand and we need to support this Government. I can support it from this side of the Floor, because I know that it is a matter that all of us should take seriously.

Thank you, Mr. Deputy Speaker, Sir.

Sen. Kittony: Thank you, Mr. Deputy Speaker, Sir, for this opportunity to join the rest of my colleagues in contributing to the Presidential Speech; this being the second State of the Nation Address in the two years that he has been in office.

I would like to support and commend the Speech. The Speech captured the aspirations and desires of many Kenyans. I was out of the country, in the Diaspora, when the President presented the Speech which was met by a lot of happiness and jubilation. The Speech will take Kenya forward if we all support it. I wish all of us would support what is good in the Speech.

Having said that, I also sincerely want to thank His Excellency the President for what he has done to improve the economy of this country. Looking at this report, our economy is sound and improving. We need to commend ourselves for this. If we have concerted efforts in supporting the good things that have been said in this report, then Kenya will definitely change.

Mr. Temporary Speaker, Sir, he has laid down sound economic policies so much so that Kenya is now one of the fastest growing economies in the world. It is worth noting that Kenya's economy is expected to rise to 6.9 per cent this year. This implies that our economy is strong and healthy. I find it wrong that in most cases when things are good, instead of us supporting, we criticize. When we do so, we are not helping ourselves. If something is good, it is good to say so and support it. When we come out and criticize all the time, we will not progress.

For example, the idea of giving a heartfelt apology, given by the President has been taken round and round. He came out to say pole to many things that happened. We should accept that and take this country forward. We all need to work cohesively and it is saddening that some of us misunderstand these sentiments.

Mr. Temporary Speaker, Sir, it is worth to pause and imagine that the value of the economy of Kenya of different walks of life derive from such assets in the report. Yesterday as I was coming to this House, I was touched by some colleagues who were saying that land should be surrendered. We are all politicians and we should respect our positions. We know one day that we will all retire. When you retire, you want to leave a legacy behind. I am talking about the first president of this country, the founder member of Kenya. He sacrificed his life for this country. At some point, he had to leave but he cannot leave his children in the streets. That is a legacy. When you talk of the second president surrendering places like Kiptagich Farm and yet it is improving the economy of Kenya, what are we trying to say? Do you want me to say that Kenyans are not getting employed and the economy is not improving?

My colleague Sen. (Dr.) Khalwale should come and support initiatives of developing our country. We need to develop the idle parcels of land in this country. We need to improve the economy. We need to respect legacies and also respect those who have led us in the past. As I said, we cannot let families be on the streets. So, when you say you want land to be surrendered and yet people sacrificed their lives, the founder of this nation was jailed but he served and left. So, let us allow them to rest in peace. Let the presidents who have retired rest and let us develop this country with better resources.

Mr. Deputy Speaker, Sir, I want to look at the report from the Ethics and Anti-Corruption Commission (EACC). I think there is a cartel that is running this country. When you look at the report, there is a lot which has been said about corruption but it is very disturbing that the report is incomplete, inconsistent and I want to oppose it because I find that it is imperfect. Whoever did it did not do it properly. I remember sometime back, a Mr. Troon was brought. If the EACC is giving the President a report--- I do not support corruption in any way but the report is saying that the cases are still under investigation. Is the EACC expecting the head of state to investigate these cases? The President should be given a report that is complete and ready for action so that we can get rid of corruption in this country.

Mr. Deputy Speaker, Sir, I urge that this report be discarded and get people who are not biased to do the work and give the country a report which will help us to work

without fear and uncertainty. You cannot shake the systems which are in place. In this report, everybody is a suspect. The people who are named here should be investigated and if they are found to have committed no crime, let them go back but we cannot live in a society with fear because people are doing things without proper research. When these things touch families, it is very sad because there are people who are not sure of their future due to an incomplete report.

I support the President's Speech in terms of the economy especially what has been done for the youth and the women of this country.

With those few remarks, I beg to support.

The Deputy Speaker (Sen. Kembi-Gitura): Thank you, Senator.

Fellow Senators, on the screen, I have 13 requests and if you multiply that by 15 minutes, it will give you about three hours and the Mover has to reply at noon because he has 30 minutes. Since most of you are taking your 15 minutes, which is a commendable, it means that some people will be left without having contributed. So, I am directing we shall have to reduce it to ten minutes after which, whoever will be chairing sees the progress, it may have to be reduced further so that everybody can have a chance to contribute. This is the third day of debate and we must finish in the morning session. That is reasonable and I believe it is acceptable.

Sen. Khaniri: Mr. Deputy Speaker, Sir, it is unfortunate that I am the one to begin on the ruling of ten minutes. Thank you for the opportunity to make my remarks on the exposition of public policy contained in the Presidential address to Parliament. From the outset, I want to state that normally, I do not agree with President Uhuru on very many things: I do not support the Jubilee policies, I do not support the whole manner in which the Jubilee administration is running the affairs of this country. I do not subscribe to that kind of administration.

However, if there is one thing that I will support the President on, it is the fight against corruption. I will do this as long as he is serious about this fight, as long as he will walk the talk and as long as he is willing to go the full hog in this fight. I know the fight against corruption is not easy. Corruption always fights back. He must be ready to walk the talk and go the full hog. Many regimes have paid lip service to this fight.

[The Deputy Speaker (Sen. Kembi-Gitura) left the Chair]

[The Temporary Speaker (Sen. (Dr.) Machage) took the Chair]

Mr. Temporary Speaker, Sir, I know there are people who have accused the President of not following the right procedure. However, there must be a beginning to the fight against corruption. Let us all support him even if he is starting on the wrong note. We should support him and correct the process as we move along. I agree that the President is starting on a wrong note.

Mr. Temporary Speaker, Sir, the Mover of this Motion, the Senate Majority Leader, quoted Article 254 of the Constitution. Article 254(1) states:

“As soon as practicable after the end of each financial year, each commission, and each holder of an independent office, shall submit a report to the President and to Parliament.”

It does not state that the report will be submitted to Parliament through the President. Parliament, in its own rights, has a right to receive the reports from the commission. Therefore, it was totally unnecessary for the EACC to submit its Report through the President. We should have received the Report from the EACC in our own right because that is provided for in Article 254 of the Constitution. I do not know what the hurry was about until they ended up giving the President a half-baked Report which is now embarrassing him.

Mr. Temporary Speaker, Sir, the EACC should have done a thorough investigation conclusively before publishing the Report. This is because the moment your name appears on it, even if it is for a flimsy matter like we have seen in many cases, you become stigmatised. It is very difficult to wash yourself out of that kind of mess. Kenyans will label you “corrupt” because you are on the list of the corrupt. This is very dangerous. It will affect very many careers. In future, the EACC should do a better job than what it did.

Mr. Temporary Speaker, Sir, I managed to go through the list and the Report by the EACC. There are some cases that are serious, there are some flimsy ones as I have stated. I thank Cabinet Secretaries who have paved way for investigations. Stepping aside is a way of paving way for proper and adequate investigations to be carried out on allegations made in this Report.

If look at page 12, there are accusations that Charity Ngilu allegedly instructed valuers from her Ministry to over-value the pieces of land by margins of Kshs110 million. This is outright theft. If, indeed, she did that, then that is a serious and grave offence. She should be prosecuted.

On page 33 of the Report, Governor Ruto is faced with allegations of accumulating immense wealth, including 40 earth movers, tippers and graders, all estimated at Kshs400 million; a helicopter, estimated at Kshs300 million and a palatial house. When such allegations are made against you, as a Governor and as an Accounting Officer in the county executive, it is only fair that you pave way for the investigators to investigate and establish how you acquired that amount of wealth. We all wake up in the morning and work so hard. Acquiring property worth of Kshs700 million in a period of one year is unheard of. I do not know how hard some people work.

Mr. Temporary Speaker, Sir, devolution was meant to benefit people in the counties. However, it is turning out to benefit just a few individuals. All of a sudden, we have come up with overnight millionaires. Such allegations must be investigated thoroughly.

On page 17, there are allegations that the Cabinet Secretary for Agriculture, Livestock and Fisheries, Mr. Koskei secretly allocated permits to some importers to import sugar in the country without going through open tendering and against the procurement laws of Kenya and the policy under Common Market for Eastern and Southern Africa (COMESA) rules. There are allegations that some importers are even importing from countries which is a net importer. The effect of this is that the economy of western Kenya, which thrives so much on the sugar industry, has collapsed. The sufferer is the farmer. If the Cabinet Secretary did what is alleged here, then he belongs nowhere else, but in jail.

Mr. Temporary Speaker, Sir, thorough investigations should be done before people's names are published. This is because it ends up tainting very innocent names. For example, Mr. Kavuludi is accused of not surrendering some impost after he made some trips. This is a very small administrative matter. Mr. Kavuludi, the Chairperson of the National Police Service Commission (NPSC), should have just been requested to surrender the impost and the matter comes to a rest. Why put his name amongst people who have done heinous crimes like what we are seeing in this Report?

We, therefore, support the fight against corruption. I urge President Uhuru to note that former President Kibaki left a legacy of the Free Primary Education (FPE) programme and infrastructural development. President Uhuru has a chance to leave a legacy that he is the one who took on the monster called corruption and brought it down. We will support him.

Mr. Temporary Speaker, Sir, moving to the other aspects of the Speech, the President enumerated what his administration has achieved in the last two years. Listening to him, most of the things that he enumerated are projects that were started by the Kibaki administration. The FPE is not his project. The electrification of schools is also a programme that was started by the previous Government. He is just implementing what was already there; what had been started. He should be telling us what he is doing to make electricity cheaper and affordable to *mwananchi*. There is no point taking electricity to all corners of the world--

The Temporary Speaker (Sen. (Dr.) Machage): Order! Sen. Karaba, do you have a point of order?

Sen. Karaba: No, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Then, put your microphone off.

(Sen. Karaba put his microphone off)

Sen. Khaniri: Stop my time, please.

The Temporary Speaker (Sen. (Dr.) Machage): Continue, Sen. Khaniri.

Sen. Khaniri: Mr. Temporary Speaker, Sir, he should be telling us what value he is adding to what hon. Kibaki's administration did. Otherwise, the supply of electricity was a Kibaki administration project. Infrastructural development, there is---

(Sen. Khaniri spoke off record)

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Khaniri! Your time is up.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, I would also like to add my voice to congratulate the President for a very bold presentation during the State of the nation address he made. Because of time, I will go straight to certain issues that are pertinent. The first one is the boldness and humility that the President showed by apologising on behalf of all the previous governments and his own Government for injustices done to Kenyans, individuals and communities.

When this apology came I remembered the *shifita* war of the mid 1960s immediately after Independence where the Northern Frontier Districts (NFDs) were actually visited with a lot of atrocities. Personally, I was a victim in Garbatulla when all

our animals were paraded by the Kenya Army and shot. We had to take refuge. I remember, as a five year old boy, walking for months to Kismaiyu in Somalia and returning in 1969 just to start school, luckily. My father died in Somalia. This is a very serious violation of human rights that was visited on the people of Isiolo, especially in the Garbatulla area. To date, there is a village called Manyatta prison where those whose sons and family members were purported to be supporting the *Shifita* war were raped and killed. Some were set to run and then shot as targets by the Kenya Armed Forces.

This apology is coming at the right time. However, we also want thorough investigation and the inclusion of the families and individuals who were affected. We accept and appreciate the apology, but the compensation that has been proposed should really reach those families in Garbatulla who are very poor right now. Most of them depended on the livestock that was shot like targets. We hope that they will also be included in the compensation that will come because their names were taken.

Mr. Temporary Speaker, Sir, we really laud the President for the fact that the country is moving in the right direction economically. While we are talking about economic growth, it is also important to look at the disparities. There are families which do not know where their next meal will come from. I am happy that the Government has started the social support programmes by giving money to the elderly, orphans and vulnerable groups. However, we need to look at these programmes critically. Are they really working? Are those people really getting that money?

While the Government is allocating a lot of money to support the less fortunate or weaker members of the community, there has to be a thorough follow up. I urge all of us to participate. It should not be done in secrecy. It should be open and the county level lists should be availed as easily as possible by the various Ministries conducting this function, so that our poor people can benefit.

Mr. Temporary Speaker, Sir, on corruption, we really have to laud the move by the President. However, we have to blame the EACC because they prepared a very shoddy list. Why present names of people and say that investigations are ongoing? If investigations are ongoing, it means that it has not been determined whether or not those persons have committed those crimes. For some of the names that are in this report, it is indicated that investigation is ongoing.

Why would you handover to the President a name of a person whom you have not concluded investigation on? This means that you have not even determined whether or not that person has actually committed a crime. This list was hurriedly put together and was not well prepared. But whether or not things have happened in the right way, because of the impact of corruption in this country, we should support this move. I think that stepping aside is not a matter of resigning. Stepping aside means that you allow investigations to happen. If there is nothing against you, you get back to the office. That should be made very clear. However, this report is very wanting and, probably, even political machination may have taken place to include some names here.

Mr. Temporary Speaker, Sir, the President's effort to face corruption head-on is commended because this is a major dragon affecting our communities. I think you become famous when you are corrupt. This is because you would be asked: - "How could you be in that office and come out so poor?" It is an expectation by any Kenyan that if you are in a certain office, you should be at a certain level, beyond what you earn, by making use of your office. You would be told:-

“Kama hujatumia ofisi yako vizuri, bahati yako ni mbaya.”

The Temporary Speaker (Sen. (Dr.) Machage): Order! Use one language.

Sen. (Dr.) Kuti: I am sorry, Mr. Temporary Speaker, Sir. But that is the way it is said.

Mr. Temporary Speaker, Sir, on electricity and water, the arid areas actually need to be included in the projects that are being rolled out. The Speech talks about money via telephone. Some of our areas up to now are not accessible by mobile phones. People climb trees and high points to make phone calls. So, the rolling out of these services should really focus on the areas that are left out.

There should be more focus on tourism because it is on its knees now. We need to find ways of revamping this sector. Kenya was a favourite destination for most tourists. However, now many of them are now shunning our tourists' sites. We need to revamp our tourism industry because even the Gross Domestic Product (GDP) that was mentioned in the Speech could be higher if we had a vibrant tourism sector.

With those few remarks, I beg to support.

The Temporary Speaker (Sen. (Dr.) Machage): Hon. Senators, I see 14 requests and we have less than one hour. I have requested the Senate Majority Leader to reduce his time of reply from 30 minutes to 15 minutes, so that we have more time. I am going further to reduce the time allocated to every Senator to five minutes, so everybody has a chance.

Sen. Sang: Mr. Temporary Speaker, Sir, that is the tragedy of contributing towards the end of the time allocated for the Motion.

Mr. Temporary Speaker, Sir, I rise to support the President's Address to Parliament. Specifically, I am excited by two issues in this Speech. The first one is the apology given by the President on his behalf and that of his Government and the past governments for the many atrocities visited on Kenyans by their own Government. I come from a county where certain communities or clans within the region were tortured and harassed by Government agents. I have in mind the Talai Community within my county, whose property and livestock were confiscated by the late Mzee Kenyatta regime.

This Committee has continuously sought for redress. This apology coming from the President is welcomed. One of the ways of addressing historical injustices in this country and globally, is through such unconditional apology by the Government. This is a bold step that was taken by President Uhuru Kenyatta. We have had three Presidents before him, but none of them has been willing to take that bold step. Therefore, I want to laud the President for that.

Mr. Temporary Speaker, Sir, the other step is the setting aside of a fund of Kshs10 billion over the next three years in order to address issues of restorative justice. This is important that an apology has to be accompanied by some element of compensation, so that those communities, individual and regions that faced the wrath of action by Governments are shown some level of remorse. What is important then would be to seriously audit. We have a problem in this country where such a fund is set aside, then we have undeserving cases benefiting from it, while the deserving cases are left out. The President needs to put proper mechanism to ensure that this is not the case with this particular Kshs10 billion fund.

Mr. Temporary Speaker, Sir, regarding the issue of corruption, it was a bold step by the President. Unfortunately, as it has come to pass, the President has been

embarrassed by this list. Looking at the allegations and the contents in the Report, it is shocking that advisors within Government and within the Presidency would misadvise the President to the extent that he had to own such kind of a document that is not actually known who authored the Report.

If you look at the President's Speech, he says that he has received the Report from the Chief Executive Officer (CEO) of the commission. But if you look at the Report, it does not indicate that it originated from the CEO. If you look at the legislation and the reporting mechanisms of commissions, it is the Chairman of the EACC who should report and forward documents. In this case, we are told it is the CEO. If you look at the Report, it does not indicate that this is coming from the CEO. It is such an embarrassment.

We are shocked that some of the advisors of the President would allow him to annex this kind of a shoddy Report to his Speech. The impact is that it forms part of the Speech by the President. If you look at some of the allegations, there is lack of consistency. In one instance, the set of allegations indicates that, the governor did this or that. However, if you look at the person being named as the suspect, it is a County Executive Committee (CEC), a county secretary or a procurement officer. In another county, the governor is held accountable. In another one, it is the procurement officer for the same offence.

I hope we can sort out this challenge and get Parliament to deal---

Sen. Wako: Mr. Temporary Speaker, Sir, in view of the constraint of time, I will limit myself to only two issues, that is, corruption and the apology.

On the issue of corruption, I believe that if we have to transform this country, then we must get rid of corruption. It was necessary for the President to take the action he took in order to jump-start the war against corruption. There were wrangles in all the institution dealing with corruption and they could not perform their duties. Therefore, I hope that having began this war against corruption, he will walk the talk. The President is a very keen follower of the late Lee Kuan Yew, who died recently. One of the things he touched on, right from the beginning, is the war against corruption. Now that the President has begun the war against corruption, let him walk the talk.

Part of the reasons the list is the way it is now, is because the Tenth Parliament mutilated the law which brought into being the commission because that law required - what is now happening - that every quarter, the commission will be giving a Report to Parliament of the cases it has investigated and of the prosecution recommended. In every quarter, the Attorney-General will also be commenting on what he has done as far as prosecution is concerned. Therefore, Parliament will have the opportunity to discuss those issues on the Floor of the House. That law was done away with.

An annual report is a very weak thing as far as fighting corruption is concerned. It focuses on the financial status, statistics and activities in very general terms. The war against corruption requires a report on specifics, not on generalities. The only complaint I have here, is that I think 60 days, is a very short period. I hope it will not be used as a way out of this, that 60 days elapse and investigations are not complete and the state officers who have resigned start saying that they must go back to their jobs. Therefore, the President recognizes this problem because he stated in Paragraph 95 of his Speech, that the institution of EACC cannot really do the job. If he recognizes that, how can he

give the same institution 60 days to complete the investigations? I hope this is not a way out.

Regarding the issue of the apology, the apology is taken. It is the first step on a long road to address, not only historical injustices, but also to ensure that this country becomes a country which is united. The son of Lee Kuan Yew, who died recently, had this to say and I would like the President to take note. The son, at his eulogy, mentioned clearly that at the time Singapore was founded, the Chinese voters were the majority, and the father could have relied only on the Chinese vote alone and ignored everybody else, but he said no. He took a deliberate step to make it an all inclusive society in which everybody had a chance.

He quotes his late father and says his father declared that; “this is not a country that belongs to any single community or any two single communities, it belongs to all of us.” I would like us to walk the talk as far as that is concerned, to ensure that this country called Kenya belongs to all of us. It must be inclusive through the Constitutional provisions which touch on the fact, people, state officers, public officers, law enforcement officers, the army and so on, when they are being employed, they must take into account the face of Kenya. We are not seeing that. I would like the President, as he is now a reborn President and as he takes the Lee Kuan Yew gospel on these two issues, to now walk the talk.

Thank you.

Sen. Abdirahman: Thank you, Mr. Temporary Speaker, Sir. Because of the time limitations, I will equally take a very short time to see if I can fit all I have in the next five minutes. One, I will join my colleagues, who have hailed the President for the very good Speech. I will equally want to make my comments based on what I feel are the gaps, the first on the economic performance.

Mr. Temporary Speaker, Sir, it is true that that we have heard from the President’s Speech that the economy is growing steadily by 6 per cent. We have also heard that we are now the 9th largest economy in the African Continent. However, I do not know whether it is a deliberate attempt or an omission on the part of those who produced the Speech that there was no single mention on our domestic borrowing.

You cannot say we are a healthy nation economically without talking about how much we borrow. We may be mortgaging our future generations and this is something that we really needed to know. As much as we are performing very well as said, there is no trickle-down effect to the local populace. This is another thing we really want to see through the support in power generation. But when you go down to the grassroots level, these things are not really there.

Mr. Temporary Speaker, Sir, as much as a lot of effort is being made to harmonize the agencies that deal with security in this country, you know what we have gone through as a country; it has been terrible. Yes, there is a little change, but putting up ambitious plans like the Manderla wall that I kept on hearing about may go to waste. We have 800 to 1,000 kilometres of porous border towards Somalia. I do not think investing in such a wall is the best option. Probably, investment in long term peace and security with our troubled neighbour, Somalia, would have been a better option, including our support to the African Mission in Somalia (AMISOM) Forces. These are better strategies and I hope my brother, hon. Nkaiisery, will consider some of these things.

Mr. Temporary Speaker, Sir, on disunity, where I come from there is clannism; but Kenya has a lot of tribalism and we need to deal with this problem. The National Cohesion and Integration Commission (NCIC) has not done much in this area. We also need to in-build peace education in schools.

On corruption, Mr. Temporary Speaker, Sir, I want to join my colleagues in saying that this Report is shoddy. I feel that this is what I would have called a “first draft” in terms of structure and content. As said by my other colleagues, this report is inconsistent in a number of areas. The accused persons are very small guys – the county secretary and a procurement officer – while the allegations are against the Governor. This morning, I was reading the newspapers where one of the Governors was saying “I am not stepping down.” What we are asking Governors to do is not to step down. Stepping down is resignation. Actually, they are told to step aside. I wonder whether they know the difference between the two.

In English language, stepping down is not the same as stepping aside. They must step aside. Governors must take responsibility because they are heads of these county governments. If there is failure within their dockets, they must step down. They have actually failed the initiatives that this Senate has made through our Speaker. I remember being part of a team that was trying to create harmony between Governors and Senators; trying to create a framework that would have helped this nation. However, they are not ready for it. So, they must take political responsibility for all the mess they have done.

Mr. Temporary Speaker, Sir, we just saw on television last night that Prof. Jane Onsongo has actually resigned. The other two must follow suit, so that we get a new team that is ready to combat corruption in this country.

On devolution, a lot is being done.

Finally, I would want to conclude with the bit on the apology; which is a very important area. I want to thank His Excellency the President for at least accepting that there are so many historical injustices in this country, for example, torture, rape and murder. Today, where I come from, the sight of a military man is something that people hate because they have killed people in the past. They have robbed these people of their animals and they have actually made several people flee out of this country to neighbouring countries. The simple acknowledgment that there has been a problem in this country that has affected communities is a step in the right direction. Yes, I echo the President on this; that a sum of Kshs10 billion is not enough. However, it can, probably, only help in resettling the displaced victims in the Rift Valley as a result of the post election violence. It cannot do more than that.

Mr. Temporary Speaker, Sir, it is not also about restorative justice alone. We would really want to see the DPP---

Mr. Temporary Speaker, Sir, I beg to support.

Sen. Chelule: Asante sana, Bw. Spika wa Muda, kwa kunipa nafasi hii ili nichangie Hotuba ya mhe. Rais wetu. Mwanzo, ninaunga mkono Hotuba hii kwa sababu ni njia moja ya mhe. Rais kuwazungumzia wananchi pamoja na viongozi. Mhe. Rais alizungumzia mambo ya maendeleo, kwa mfano, kusambazwa kwa umeme katika mashule, pesa ambazo Serikali ya Jubilee imetenga kwa vijana, akina mama na walemavu.

Bw. Spika wa Muda, mhe. Rais aliomba msamaha kwa niaba ya Serikali za hapo awali kwa makosa yote yaliyotendewa wananchi. Ningenda kuchukua nafasi hii

kuwaambia viongozi wenzangu kwamba hakuna neno kubwa zaidi ya msamaha. Viongozi wenzangu wanaosema wangemtaka mhe. Rais achukue hatua nyingine ya kutatua makosa mengine yaliyofanyika hapo mbeleni, kwamba sioni kama kuna jambo kubwa zaidi ya kuomba msamaha. Ninamuunga mkono kwa kuomba msamaha kwa niaba ya Serikali za hapo awali.

Bw. Spika wa Muda, wakati huu wa Muungano wa Jubilee, unaoongozwa na mhe. Rais na mhe. Naibu Rais wetu, utekelezi wa maendeleo ni jambo la maana sana. Kwa mfano, utekelezi wa usambazaji wa stima kuhakikisha kwamba imefika katika kila shule ilikuwa ni jambo la ajabu kwetu. Mhe. Rais mwenyewe hajaketi; amehakikisha kwamba stima imefika katika kila shule. Pia mhe. Rais amehakikisha kwamba usambazaji wa stima umeboreshwa. Haya yote ni mambo yanayomhusu mwananchi pale chini. Haya yametajwa katika *manifesto* yetu ya Jubilee, kwamba lazima mambo ya maendeleo yaangaliwe kwa umakini.

Bw. Spika wa Muda, mambo ya ugatuzi imejikita sana katika Katiba yetu. Tulipitisha mambo ya ugatuzi kwa sababu tulitaka maendeleo yamfikie mwananchi. Ninaposimama hapa, pesa zinazopeanwa na Serikali kuu kwenda kule chini katika serikali za kaunti zinafaa zitumike vizuri.

Kwa hivyo, nataka kuunga mkono hatua yake ya kupigana na ufisadi. Hata hivyo, ukiangalia ile orodha ya watu wafisadi iliyoapeanwa kwa makini, utaona uchunguzi kamili haukufanyika. Ninapendekeza kuwa kabla ya orodha kuwasilishwa kwa mhe. Rais uchunguzi zaidi ufanywe ili isiwe ni aibu kwa taifa.

Bw. Spika wa Muda, ninachukua nafasi hii kuhimisha tume ya EACC kufanya kazi yake kikamilifu ya kupigana na jinamizi ya ufisadi. Inatakikana tuwe na majina yaliyofanyiwa uchunguzi kamili. Kama kiongozi, siungi mkono mambo ya ufisadi. Pesa zilizopeanwa katika kaunti mbalimbali lazima zitumike kwa minajili ya kuwanufaisha wananchi. *Manifesto* yetu ya Jubilee inatilia mkazo uwazi katika mambo ya pesa za wananchi. Pesa zinazopeanwa katika kaunti ama pesa zote zinazosimamiwa na kiongozi yeyote katika nchi hii yetu ya Kenya ni pesa za wananchi. Kwa hivyo, ni lazima pesa hizi zitumike kwa uwazi ili kuboresha maisha ya wananchi wote.

Bw. Spika wa Muda, naunga mkono Hotuba ya mhe. Rais. Ninawaomba wenzangu Maseneta kuunga mkono Hotuba hii. Tumunge mkono mhe. Rais kwa vyo vyote vile.

Kwa hayo machache, Bw. Spika wa Muda, naunga mkono.

Sen. Ong'era: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity so that I may also make my contributions to the Exposition of Public Policy as contained in the Address made by the President, on Thursday, 26th March, 2015.

I would like, first of all, to congratulate the Senate Majority Leader and the Senate Minority Leader for moving and seconding this Motion, respectively. I have read the President's Address and I would like to make one or two comments.

The first one is with regard to the economy of the country. The President noted that it is growing robustly and inflation has been maintained at a single digit. I wonder how this economy is growing robustly when we know that Kenya was ranked position 145 out of 187 countries of the United Nations (UN) Human Development Index. As you are aware, this is the index that measures development in terms of life expectancy, education attainment and standards of living. We have been singing here in this Senate for a long time that the Government needs to increase the money allocated to the counties

so that we see tangible results and growth of our economy. Yet, to date, as I speak, we are still using the audited accounts of over 3 years ago. This is a matter that gravely concerns us and we need to look at it very seriously.

Mr. Temporary Speaker, Sir, the President also stated that the exchange is very stable. You are aware that the Kenya Shilling has been weakening drastically in the last three years. As you are aware, if I may give the rating, the Kenya Shilling has weakened to 4.1 per cent of our region's economy. This means our revenue base will be greatly affected with regard to how our currency has declined, especially in tourism industry.

If I may give forex rate figures; in 2013 when the Jubilee Government took over, the exchange rate for a dollar to a shilling was Kshs84.8 and buying at Kshs85.1. This was a mean rate of Kshs85.9 per dollar. Today 30th March, 2015, the shilling is exchanging at Kshs92.1 and selling at Kshs92.5 per dollar. This gives us a mean rate of Kshs92.1 per dollar. I wonder then how the President can turn round and say that the exchange rate is stable.

Mr. Temporary Speaker, Sir, as we are aware, the President also noted that public debt is sustainable. The National Security Exchange (NSE) has been forecasting that public debt in this country will hit Kshs2.9 trillion by the end of this year from the current Kshs2.5 trillion. I wonder how that debt is being sustained.

Finally, Mr. Temporary Speaker, Sir, I normally do not agree with the President in many issues, but like Sen. Khaniri, I want to commend him on the fight against corruption. He deserves a pat on his back for taking a very bold step, unlike his predecessors who sat on the fence on the issues of corruption. What the President did was unprecedented because he did not know any other way in which he could have brought this list, except to bring it to Parliament. However, the President is being let down by his officials because the proof of the pudding is in the eating.

What has been presented here as the actual evidence is a shoddy report. You cannot bring a report which is only dealing with investigations and call it conclusive. It is a report that should never have even come to the President. This Report should have been given to investigating officers. For example, I note that on the one hand, the President is patting the Cabinet Secretary (CS) in charge of lands that she has done an excellent job in terms of land reforms. On the other hand, I am seeing allegations in this Report against the CS. The other day we saw the President praising her for streamlining the land registries throughout the country. She is now being accused of corruption. I hope this is not a fight in bringing down the strong women of this country.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Your time is up!
Proceed, Senator for Kirinyaga.

Sen. Karaba: Thank you very much, Mr. Temporary Speaker, Sir, for that recognition. Sometimes it is good to check if these machines are working collectively. I was the first person to be in this Assembly---

The Temporary Speaker (Sen. (Dr.) Machage): Hon. Senator, I would rather you get trained on which button to press.

Sen. Karaba: Mr. Temporary Speaker, Sir, these buttons should be known to us every other time because they keep on changing like goal posts.

Mr. Temporary Speaker, Sir, I am happy you have given me the chance again to contribute towards the Presidential Speech. It was good and I fully support it. This was one of the very rare happenings in Parliament for the President to tell us about what he

has achieved in the two years. During that period, the country achieved a lot of development although there were some limitations. All good things were articulated in the Speech. Many times, when we go out of the country, we compare Kenya with many countries which developed earlier. Many times, when we go to Singapore, Malaysia and the Philippines, we lament a lot that Kenya at Independence was at the same level of development with these countries. However, something happened somewhere which made us lag behind in terms of development.

We need to find out what Malays and Singaporeans did which made them develop their countries as we lagged behind. What special qualities did the Presidents of those countries have to turn round their economies? Listening to the President delivering his speech, I must say something is happening in this country that will make us proud as Kenyans. That is why I said the speech was good and commendable. Therefore, we must support the President in his fight against corruption. All those individuals who are mentioned in this Report and who will be found to be culpable, action must be taken against them because they have made Kenya lag behind in terms of development.

Mr. Temporary Speaker, Sir, I noted that in his speech, the President said there are many schools which have been supplied with electricity. Many teachers have been trained in Information Communication and Technology (ICT). We expect them to mount training programmes in ICT to about 12 million students in public secondary schools. But very little was said about teachers' recruitment. So, how do we have schools enrolling so many students and yet they do not have enough teachers? How do we continue connecting those schools with power? How do we continue putting up so many schools and yet we are not saying anything about teachers?

About 80,000 teachers are required if we are going to have quality education in this country. Without sound education in any country, we cannot talk about any development. Education is the wheel power that drives the economy of any country. Without it, we can talk of the country moving backwards. There is no way we can talk about a progressive country without talking about education which is proactive and progressive.

Mr. Temporary Speaker, Si, I hope next year the President will come here and tell us the number of teachers they will employ. It is important for all students to complete their primary and secondary education. All our pupils must enjoy the free primary and secondary education that is being provided by the Government. The question is: How many are transiting from Standard Eight to Form One? How many are transiting from Form Four to the university? Out of that, how many complete their degrees in the end? That is manpower development. Without developing this manpower, the future of this country is bleak. We need to anchor progress in our country, particularly on manpower development. However, this is lacking as far as the speech is concerned.

Mr. Temporary Speaker, Sir, as much as we support the President in terms of what he said about the development of infrastructure, it is true that he had to start from somewhere. So, those people who are saying that he said nothing about development of infrastructure; they should know that infrastructure must start from somewhere and that is why he talked about Standard Gauge Railway (SGR) and the Lamu Port Southern Sudan-Ethiopia Transport (LAPSSET). Even if they were started by somebody else, are they not supposed to be on going? That is what is called continuous development. The President cannot run away from those projects or abdicate his responsibilities. He is aware some of

those projects were started by his predecessor and, therefore, he must complete them in good time. These are projects which will take time to complete.

(Sen. Karaba spoke off record)

I beg to support by saying---

The Temporary Speaker (Sen. (Dr.) Machage): Order! Your time is up.

Proceed, Sen. M. Kajwang.

Sen. M. Kajwang: Thank you, Mr. Temporary Speaker, Sir. I would like to express my gratitude to the Head of State for making this Speech to Parliament. Evidently, the President has very good speech writers. His speeches tend to be laced with drama and suspense. Probably, the standing ovation was as a result of the drama rather than the content. However, I still wish to congratulate him.

In the Speech, the President starts by saying that the state of the nation is strong, our economy is growing, we are more secure and our place in the community of nations is respected. As we are assessing where we are, it is important we see the rate at which our economy is growing. Our economy is growing at 6 per cent and yet the Jubilee manifesto promised us that in the first two years, it would be growing between 7 per cent and 10 per cent. The Vision 2030 requires us to grow in double digits. If you compare us with other East African countries, you will see that we are, probably, not doing very well in terms of economic growth.

In terms of education, we promised our children laptops and yet we have not given them. We also promised them free milk. There are certain promises that we have made such that when we say that things are good, we also reflect on them. One of the things I found surprising in the Presidential Speech, is that he did not talk about agriculture, livestock and fisheries at all. This is a Speech that came on the day that the long rains commenced. We had farmers all over the country, waiting to hear what the President had to say to them. You cannot talk about a secure country when people are hungry. You cannot talk about a secure country when the issue of agriculture that contributes 75 per cent of the labour force is not addressed.

Due to time limitations, let me go straight to the matter that has caught the attention of this nation for the past few days. The President made a bold move by declaring war on corruption. We, in the opposition, and, indeed, everyone, including those in Government, have expressed concern at the high levels of corruption. This Government is, probably, much more corrupt than the previous administrations.

When the Head of State is forced to suspend or to request five of his Cabinet Secretaries and five Principal Secretaries, which translates to a third of his entire Cabinet, to step aside due to corruption allegations, in a more civilized and organised societies, this would have been enough grounds for the Government to be dissolved and to seek fresh mandate. Unfortunately, in Kenya, we have set the bar fairly low. We are content to ask five Ministers and five Principal Secretaries to step aside without asking ourselves where the buck stops.

All the same, the President made a very good diagnosis of the problems we are having, but, probably, applied the wrong prescription. Senators who have spoken before me have already noted the inconsistencies, trivialities and various issues that the EACC

Report has. It is unfortunate that this is what we are basing our argument on so as to take action against corruption.

Governors should be guided by their conscience when it comes to the debate on stepping aside. I do not think we can force or bully them to step aside. If you have someone who is accused of embezzling Kshs600 million and you find yourself appealing to his morality to step aside; that brings out a contradiction. Let us not expect people to step aside out of their own volition.

We should commence investigations and charge these people in court. One of the things that the Truth Justice and Reconciliation Commission (TJRC) recommended as far as corruption was concerned was that EACC was supposed to define what should happen where corruption cases are at allegation stage, investigation stage, prosecution stage or any other stage within a period of six months. I do not think that happens. We have a catalogue of allegations, as the President said.

We are expecting anyone who is touched by the catalogue of allegations to step aside. There should be definition of “threshold”; at what point someone steps aside. If we still have to rely on the EACC to carry out the final mile on the fight on corruption, one area which should be focused on is part II of the EACC Report. The EACC requires 2,246 staff members and yet they have only 385 and 20 of them resigned in the course of the year. These people say they are poorly remunerated and taken care of.

Sen. Njoroge: Asante sana, Bw. Spika wa Muda kwa kunipa nafasi hii. Nitazungumza kwa Kiswahili ili wale ambao hawaelewi Kiingereza wanipate kule mashinani.

Naunga mkono Hotuba ya mhe. Rais na Ripoti ambayo aliyotupa inayohusu wale ambao wanaendelea kuchunguzwa. Naunga mkono Hotuba ya mhe. Rais aliyotoa hapa kwa sababu kuna mambo mengi ambayo amefanya kuwasaidia watu walemavu tangu alivyoshika usukani. Ametusaidia katika mambo ya biashara kwa kutupa pesa. Walemavu hawakuwa na nafasi ya kujihusisha katika biashara. Kwa hivyo, namshukuru mhe. Rais na Serikali yake kwa kuchukua hatua hiyo.

Kuna pesa ambazo hupewa walemavu ambao wana ulemavu wa hali ya juu. Pesa hizi zimekuwa zikitusaidia sana. Naomba mhe. Rais aweke kanuni za kufuata ili pesa hizo ziwaifikie wanaolengwa bila shida yoyote. Ufisadi umeshika mizizi katika nchi yetu. Tunaofia kwamba pesa hizi zaweza kuwa haziwafikii wale ambao wanahusika.

Tuna ripoti iliyo mbele ya Seneti ambayo ni orodha iliyotoka kwa tume ya EACC. Kwa kawaida, mtu anapotajwa katika ripoti kama hii, ikiwa anafanya kazi katika Serikali, anafaa kujiuzulu. Inakuwa vigumu kwa wale ambao wamechaguliwa kukaa kando ili uchunguzi ufanywe kutokana na sheria za Bunge. Mhe. Rais hakufanya makosa yoyote alipowauliza watu wasimame kando ili uchunguzi ufanywe. Uchunguzi haukuanza siku ambayo Mhe. Rais alipotua Hotuba. Uchunguzi ulikuwa umeanza hapo mbeleni. Mhe. Rais alikuwa akiwaomba wale ambao wanafanya uchunguzi kuharakisha na akawapa siku 60. Tume ya EACC haifai kukaa na Ripoti ya mambo ambayo wanachunguza.

Kesi zingine zimechunguzwa zaidi ya miaka mitano. Hii ni kupoteza pesa za Wakenya. Naunga mhe. Rais mkono. Siku hizo 60 zikiisha, kama mtu hajapatikana kuwa mfisadi, basi anafaa kuondolewa lawama. Wale ambao watapatikana kujihusisha na ufisadi wanafaa kustakiwa. Watu ambao wametajwa katika Ripoti ya ufisadi si wote ambao waliohusika na mambo hayo. Bila uchunguzi kufanywa, itakuwa vigumu kujua ni nani amehusika na ufisadi na wale ambao hawajahusika.

Bw. Spika wa Muda, nawaomba watu wa magazeti waache kuongezea chumvi katika ripoti ambayo wanatupa. Ripoti ambayo wametupa ni tofauti sana na Ripoti hii. Watawapotosha Wakenya ili wasielewe kinachoendelea. Nawaomba waandike mambo kwa magazeti wakizingatia ukweli badala ya kuweka maneno matamu ili magazeti yanunuliwe.

Kwa hayo machache, ninaunga mkono Hotuba ya mhe. Rais na Ripoti ya EACC.

Sen. (Dr.) Zani: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to make my contribution to the Exposition of Public Policy contained in the Address of the President delivered on Thursday 26th, March 2015.

Let me start by informing the House of an experience that I had yesterday evening as I tried to help a young man sort out his taxi business. He had been caught and he did not have a particular licence. I looked at the humility and spirit that this person had in terms of making a living and being able to survive in Kenya with all the hardships. That broke his dignity because every time he kept on running from one place to another; he was being chased and it was very difficult for him to sustain his living. This is one man who replicates what happens among many Kenyans.

Mr. Temporary Speaker, Sir, Kenya is a country that is so rich and yet so poor. In the 1960s and the 1970s, we were at the same level with countries like Singapore and China. They took our models and did so well with them. They implemented the thing they said they wanted to implement. When they said they were going to fight corruption, they meant it and fought it. They put into place policies and actionable plans to make sure that it happens. For us, it has been rhetoric. I am afraid it might be rhetoric for a long time if we do not change the way we do our things. We should change and be able to move to another level.

Today our newspapers are full of shameful stories about the leaders of this country and, particularly, those who have been implicated in corruption. There are lists of shame and expose that have been put in all the newspapers. When you find CSs and prominent leaders, for example, the CS for Lands, Housing and Urban Development has been pointed out for misappropriating Kshs65 million and the PS for Transport and Infrastructure, Kshs320 million, we should try and translate those figures in terms of how much medicine that money can buy for Kenyans, how much clean water can be supplied to Kenyans and how many Kenyans can access education.

Sen. Karaba talked about the number of teachers we need. This is where the resources would come from. The resources have been misallocated. We are talking about a report that has up to 175 cases. That is a long list and we need to sort it out.

Mr. Temporary Speaker, Sir, we should ask ourselves when the rains started beating us. When should we have addressed these issues and put them in the rightful place? What happened to the checks and balances that we have put in place? What happened to the commissions that we have put in place and the other regulatory bodies that we have put in place? I am looking at a sum of about Kshs2 billion that has been given to the EACC with many employees, but we are seeing a report that seems to be either incomplete or cases that seem not to have been investigated.

The report states that the EACC has handled so many cases. The word “handle” should not be used because many people are handling cases. We should instead be told how many cases have been resolved or what action has been taken. This is a culture that

is going to put us in a very difficult situation in this country because if our youth grow up in this culture, then it will be very difficult to instill discipline.

The values that the President has quoted are in Chapter 10 and are very important for the development of the country. They are about patriotism, integrity, honesty, hard work, devolution of resources and power to the people. All these values cannot be taken seriously if we do not allow our institutions to work. We should not just think about the people in those institutions. The institutions should be able to work no matter which people are actually there.

If you look at the list of 175 persons, does it include all the perpetrators of corruption? I do not think so. This means that there are many others who are not in that list. If this is the total figure of how much has been amassed over time, then what are the figures out there that we do not know and how are we going to attain Vision 2030 as projected if we are not able to put our resources together so that we can actually do this massive take off? Countries like Finland, Norway and Sweden have been able to do that; their poverty indexes are much lower than the one that we have. For example, Kenya's poverty index is at 0.229 which is very high. As Sen. Ong'era said, we are 147 out of 187 in the human development index. We are 40 from the bottom.

Thank you.

Sen. Chiaba: Asante, Bw. Spika wa Muda, kwa kunipatia nafasi hii ili niunge mkono Hotuba ya mhe. Rais. Mhe. Rais Uhuru Kenyatta ameonyesha ushujaa na ujasiri ambao viongozi waliomtangulia hawakuweza kuchukua hatua kama hiyo. Ni wakati wa viongozi wote kushirikiana pamoja na kuunga mkono Hotuba ya Rais na kuomba wale wote waliotajwa kuajibika. Hii ndio njia pekee ya kuonyesha kwamba wao ni viongozi. Ikiwa wamefanya makosa, hawanabudi kuwajibika. Wale wengine ambao wametajwa na hawakufanya makosa, vile vile waonyeshwe ya kwamba sheria itawalinda.

Bw. Spika wa Muda, ninampongeza mhe. Rais kwa hatua ya kusema kwamba Kshs10 bilioni zitatengwa kwa kuwafadhili wale ambao waliathirika katika maisha ya hapo awali. Kwa mfano, kuna Wabajuni ambao walikuwa wakikaa sehemu ya Kiunga ambao wamepoteza miji yao, mali yao na nafsi zao na wakakimbilia Lamu, Kilifi na Malindi. Hao ni watu ambao walitoka Kiunga, Ishakani na Rubu. Miji hiyo ilivunjika wakati ule ambao kulikuwa na vita vya Shifita. Isisahaulike ya kwamba, mwaka uliopita watu wetu kule Mpeketoni walipoteza mali yao na hata maisha yao. Kwa hivyo, inafaa wasisahaulike wakati pesa hizo zitakuwa zinagawanywa.

Ningependa kupongeza Serikali ya Jubilee kwa kupiga hatua kubwa kwa kusambaza umeme kila mahali, hasa kwa shule nyingi hapa nchini. Huu ndio msingi wa kuweza kuleta and kuzitumia zile tarakilishi za watoto wa shule. Vile vile viongozi wengine husema kwamba kupanda kwa thamani ya Shilingi ya Kenya kwa dola inamaanisha nguvu ya uchumi wa nchi ya Kenya. Hii inarahisisha ulipaji deni katika benki. Hii inalingana na thamani tofauti ya sarafu za ulimwengu.

Tulifurahi mhe. Rais aliposema kwamba kwa wiki mbili zijazo, miradi kadhaa wa kadha itatekelezwa na yeye mwenyewe atatembelea mji wa Lamu ili kuanzisha ujenzi wa Bandari ya Lamu na vile vile ule mradi wa LAPSSET kuanzia Lamu hadi sehemu zingine za Kenya. Huu mradi utakuza biashara na kuleta utajiri mwingi katika nchi yetu. Inafaa tumuunge mkono mhe. Rais Uhuru Kenyatta kwa huu mradi. Ninawashukuru wale Maseneta wengine ambao wameunga mkono Hotuba hii.

Sen. Ndiema: Thank you, Mr. Temporary Speaker, Sir, for allowing me to contribute to the President's Speech.

From the outset, I want to thank the President for this catalogue of good intentions that the Government intends to achieve. When we look at the economic sector, there are quite some achievements, but I hope that the President will also listen to what we, in Parliament, are saying and incorporate some of the views in the programmes and policies that the Government is implementing.

We have noted impressive improvements in the energy sector with a growth of 31 per cent in generation; most of it through geothermal. The expansion of distribution of power to schools is also commendable. It would appear that this Ministry has done very well. However, I do not know why in the same Ministry, the Cabinet Secretary, hon. Chirchir, and the officer in charge of generation, Mr. Simiyu, are named here. I believe that investigations will be done, so that we do not unnecessarily lose hardworking people on mere allegations.

Mr. Temporary Speaker, Sir, free primary education and capping of fees has also been mentioned. But enforcement strategies need to be put in place so that capping really takes effect. The Standard Gauge Railway project has been reported as progressing well, but my question is: What will happen after it gets to Nairobi? Will the trains stop in Nairobi and what will happen to western Kenya? The Government should look at how to extend it to the western part of Kenya, including Kitale. Perhaps, it should also reconsider the LAPSSSET, so that we at least concentrate on one and finish, instead of having too much to bite.

Mr. Temporary Speaker, Sir, the expansion of the Jomo Kenyatta International Airport (JKIA) has been going on for too long without completion. This expansion should come to an end.

On issues of maternal health, we congratulate the Government. However, this has become a burden to county governments, because the national Government is not reimbursing the counties for the funds used. Cash transfer for the elders is a good idea, but many of them have not benefitted. The *wazee* in Trans Nzoia County have certainly not benefitted.

The President said that security has improved, but it is too early to take it that the situation has improved. We have not recruited police officers for the last one year. A decision has to be made; that the recruitment for this year has to be done. Let the case on last year's recruitment still pend in court, but this year's recruitment has to be done.

Mr. Temporary Speaker, Sir, I want to thank the President for the bold decision on restorative justice. I believe that when he said so, he also meant those who were affected by the colonial government, because human rights issues extended to that situation. I hope that those people who were dispossessed of their land by the colonialists will also be compensated. Apology is welcomed, but the Government should go ahead and also compensate those who lost their lands and suffered because of bungled settlement programmes. If you recall, the Chebyuk Settlement Scheme and the Kitalale Settlement Scheme in the Mt. Elgon region, have not been sorted out and people issued with title deeds. I believe that this will be handled.

Mr. Temporary Speaker, Sir, when I heard the President talk on corruption, to me, it looked like a case of frustration, both at the EACC and the Presidency. It seems like

they do not know what to do next. Sixty days to investigate and dispose of these cases, is perhaps an impossible task.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Your time is up.

Sen. Wangari.

Sen. Wangari: Thank you, Mr. Temporary Speaker, Sir. I want to join my colleagues in applauding the President on his second Speech to Parliament.

I will note a few things because I have very limited time. One, I am impressed by several things in that Speech. In fact, it is one Speech that saw people across the Floor disregard the rules of the House. We actually clapped instead of thumping our feet. We gave the President a standing ovation from both sides of the Coalitions. It was giving hope, not only to Parliament, but to the country.

The one area that I know the Jubilee Government has made strides in is that of economic growth. A lot has been said about the figures and the translation to actual better living standards for the people. In terms of minerals, mining and increase in royalties, we have made great strides. However, it is not enough. I think we still need to translate this to better living standards, because people are still living in poverty as it is.

With regard to power generation, we have made greater strides. Many schools have been supplied with electricity. This is something I have witnessed in my region, particularly in Gilgil Constituency. Some remote areas have been connected with electricity. We have 10,000 schools that have been connected with power in the last two years. That has not only helped in improving standards of education, but also in terms of opening up areas that were very remote and marginalised.

Mr. Temporary Speaker, Sir, in terms of access to tenders by young people, women and people with disabilities, it is good on paper, but we still have a long way to go. The requirements for compliance to get tenders are very prohibitive. It is out of reach for a young person in some place in Kapedo or Lamu, to bid for a tender and win because of red tape or bureaucracies involved. Our people need more training on this tendering process. That should actually happen and help Kenyans in terms of dealing with unemployment in this country. The 30 per cent is good.

We actually passed the amendment to the Public Procurement Act in this House. The implementation is what is important. We are good in passing laws, but the implementation must be very critical in terms of making sure that even the counties, in their procurement, adhere to the 30 per cent. Audits must be done and properly documented. We must make sure we have genuine companies that are doing business with the young people and the special groups.

I also laud the President in terms of the public apology that he made. That was a very brave move as a person and the President of this country. He did what his predecessors failed to do. He has apologised on behalf of those who visited atrocities to the people of this country. He has taken responsibility of what he did not commit himself. He not only just apologized, but actually went ahead to direct the Treasury to put aside Kshs10 billion in the next three years, in terms of restorative justice. My comment on that would be that it has to come and carry the people along, because there has been documentation. We do not want to see the wrangles that come with such a fund. The administration in the identification of the beneficiaries has to be strategic and systematic. It should also clearly be done in public so that we do not have infighting and people saying that they did not benefit because of one reason or another.

The President, in his Speech, said that he shares the frustration of Kenyans in terms of dealing with corruption and insecurity. I personally feel that though the President said that security has been beefed up in this county, we are still not doing very well. This is because of the attacks that are still happening even to Government officials in Mandera and the sexual offences in this country that have gone very high.

The Temporary Speaker (Sen. (Dr.) Machage): I still have quite a number of requests. So, I am further reducing contribution time to two minutes.

(Loud consultations)

Order! I may decide to reduce it to one minute.

Sen. Madzayo.

Sen. Madzayo: Asante sana, Bw. Spika wa Muda. Kwanza nataka kumshukuru mhe Rais kwa kutoa Hotuba katika Bunge ijapokuwa nilikuwa mbali lakini niliisikia. Pia nataka kuwapa Maseneta wenzangu walioniletea rambirambi shukrani zangu. Ningependa pia kuwashukuru ndugu zangu Sen. Boy Juma Boy na Sen. Hassan.

Ningependa kusema kwamba ufiisadi ni sumu. Ufiisadi ni kitu ambacho kimewahi kula familia nyingi. Maisha ya Wakenya iko chini kwa sababu ya ufiisadi. Uhuru ulipopatikana katika Pwani ya Kenya, watu waliathiriwa sana, hasa katika ufiisadi wa mashamba. Pwani yote kwa ujumla ni kama maskwota. Hivi sasa, mhe. Rais aliomba msamaha na kusema kwamba kwa niaba ya watu walioongoza taifa letu la Kenya hapo awali; Mzee Kenyatta na Kibaki wasamehewe kwa makosa yao. Sisi tunasema kama watu wa Pwani, wakitaka tuwasamehe sisi na tukubaliane nao, basi hizo hati za ardhi zote walizopewa kiholela zirejeshwe ndio tutasema ni sawa kwa msamaha. Lakini kama hazijarudi, hatuwezi kukubaliana na huo msamaha.

Kuhusu usalama wa nchi, usalama katika Mkoa wa Pwani umekuwa wa hali ya taharuki. Hakuna usalama unaowekwa na polisi. Hakuna usalama unaowekwa na kipengele chochote na wafanyakazi wa Serikali. Tunachoona ni dhuluma tu kila siku.

Sen. Gwendo: Mr. Temporary Speaker, Sir, thank you for giving me this chance to also applaud the Speech made by the President. Considering that I have two minutes, I want to go straight to the good things that have happened during his reign apart from the corruption.

First of all, it was very magnanimous of him to apologize about corruption considering some of the things happening today are mistakes that he inherited.

Secondly, I am looking at things that have happened during his reign. He talked about Kenya being one of the countries that is now considered as a fast-growing economy. We see this when we are outside there, representing this country. As a woman legislator, I have heard that in some countries women are not supposed to take loans without the approval of their husbands. In this country, we are able to take loans and we have women in leadership. Women are able to stand up and speak their voices. That is something that cannot happen outside there.

These are achievements that have happened during President Kenyatta's reign. Look at Uwezo Fund and Women Enterprise Fund; these were just ideas on paper, but right now, the implementation is going on and we applaud him on that.

Mr. Temporary Speaker, Sir, I also want to look at energy production during his reign and the connections that we have achieved. When you look at the power bill, it is a

bit low even if it is just reduced by one shilling or ten cents, but the reduction is remarkable. In his speech, he also talked about connections in schools totaling to 18,424 connections. This is something that was only being talked about, but President Kenya has implemented it. Therefore, we need to applaud him for that.

Look at the development of Huduma Centres---

Sen. Obure: Mr. Temporary Speaker, Sir, thank you very much for giving me the opportunity to make one or two comments on the President's Speech. First, on the economy, it is gratifying to note the per capita income of US\$1,250 meaning that Kenya has attained a middle income status. This is one of the countries in Africa with a diversified and balanced economy. It is one of the fastest growing economies and it is the 9th largest economy in Africa. These are very encouraging developments.

However, we have greater potential to perform even better and achieve even higher targets. If we handle our security properly we could become the greatest investment destination in the world. If we committed ourselves to devolution and actualized it in the spirit in which we adopted it, then we could achieve even higher rates of growth.

Regarding energy, I recognise the remarkable progress made, particularly after many years of huge investment in the energy sector. At last, we have been rewarded with 500 megawatts additional electricity. Although this is a huge relief for our industries and consumers, I want to say that the potential in this sector, particular in geothermal is very huge. We can actually obtain up to 10,000 megawatts of electricity from geothermal; clean, reliable and affordable energy. Therefore, our focus should be in the direction of geothermal exploitation rather than hydro-power and diesel powered engines.

I also welcome the President's Speech because I believe he has sent a very strong and clear message---

Sen. Kisasa: Asante, Bw. Spika wa Muda. Waswahili husema, "Mwanzo wa ngoma ni lele." Sisi kama Wakenya tunaona tuna mwanzo mwema hapa. Ukiangalia ndani ya Seneti hii utaona kuna matumaini na hamu ya kuona Kenya inapoelekea.

Bw. Spika wa Muda, wangapi kati yetu wanaomba msamaha? Mhe. Rais ametoa mfano mwema hata mpaka kwa watoto wetu na vizazi vyetu. Nimesimama hapa kama mama ambaye amejifungua na ukiangalia huduma hospitalini, ni kitu cha kufurahisha sana. Kitu ambacho ninaomba tukitilie mkazo ni kuangalia pia kabla ya kuzaa. Akisha jifungua mama tutafanya aje ili nchi yetu ielekee na kujua kwamba mwanamke amezalishwa bure. Kwa hivyo, tutafanya aje kabla na baada ya kuzaa? Hii ni zawadi mwafaka kwa hii Sikuu ya Pasaka. Unapotembea njiani, utajua kwamba Kenya kuna mabadiliko.

Bw. Spika wa Muda, tukiungana sote kama Wakenya ama kama Maseneta, nchi yetu itaenda mbele. Kila mtu ambaye amekula chakuka kisichofaa ama kila mtu ambaye amekula hongo arudishe kwa sababu hicho chakula sio chake. Lazima chakula chochote kiwe ni halali unapokitumia.

Sen. Boy Juma Boy: Asante, Bw. Spika wa Muda, kwa kunipa nafasi ya kusema machache juu ya Hotuba ya mhe. Rais. Kwanza, namsifu aliyeandika Hotuba hii. Hotuba hii iliandikwa kwa umarufu sana. Pili, ninamsifu mhe. Rais kwa kuisoma Hotuba yake kwa ufasaha wa juu. Tatu ni swali: Je, ndio mara ya kwanza Hotuba nzuri kama hii kusomwa hapa Bungeni? La. Marais wengine wameshatoa hotuba nzuri kama

iliyosomwa na mhe. Rais Uhuru. Je, kuna matokeo baada ya hotuba? Hilo ndilo jambo muhimu sana.

Bw. Spika wa Muda, kwa mfano, tuliambiwa kutakuwa na elimu ya bure. Kweli kuna elimu ya bure hapa nchini? Leo hii, elimu ya shule za msingi ni ya bure? Tunaambiwa kutakuwa na elimu ya bure ya sekondari. Hiyo ni porojo tu.

Tukiingia katika swala la kuomba msamaha kwa Wakenya, namsifu sana mhe. Rais kwa kuomba msamaha. Je, ni nini anachooomba kusamehewa? Huo msamaha waombwa wa jambo gani? Ni lazima tuelewe msamaha unaombwa kwa sababu ya jambo gani. Msamaha aliuomba haueleweki.

Bw. Spika wa Muda, tukiingia kwenye swala la ufisadi, huu ni mchezo. Ninawasihi wafuasi wa CORD wasiingie katika mchezo huu. Hii ni kwa sababu hapa tumeshapigwa mbao moja kwa sufuri. Huu ni mchezo na siku moja sisi tutakuwa ndani kama CORD na wao watakuwa nje. Waingereza husema hii ni: *Game plan*.

(Laughter)

Watu wasifurahi sana kwa sababu huu ni ujanja wa Serikali ya Jubilee. Kabla ya orodha hii kuwasilishwa hapa, tayari Mawaziri fulani walikuwa wameng'atuka mamlakani. Huu ni mtego wa panya ambao hunaza walimo ndani na wasiyekuwemo. Kwa maoni yangu, hapa pana maneno au mchezo fulani. Tayari orodha yenyewe inatiliwa shaka. Kuna siku 60 za kufanya uchunguzi. Uchunguzi---

(Sen. Boy Juma Boy spoke off record)

(Laughter)

The Temporary Speaker (Sen. (Dr.) Machage): Thank you Members. Albeit, the short time it was courtesy of the Senate Majority Leader who had donated a bit of his time for you to contribute. We thank him for that.

Could the Senate Majority Leader reply?

The Senate Majority Leader (Sen. (Prof.) Kindiki): Mr. Temporary Speaker, Sir, I take this opportunity to thank hon. Senators for the contributions they have made. What has come out very clearly is that the Address by the Head of State was very comprehensive in terms of touching on the various things that relate to the status of the implementation of our national values and our international obligations, as well as the status of the national security of our country.

Mr. Temporary Speaker, Sir, what has also come out is that emphasis has been on two main issues. The first one is the truth, justice and reconciliation process which, for me, is yet to begin in this country. The kind of truth, justice and reconciliation that Kenyans would want to see is not the kind of charade that we have seen in the past. We want a thorough soul searching as a nation for the sake of prosperity.

Finally, Mr. Temporary Speaker, Sir, what has come out very clearly is that the President has tackled the issue of corruption head on and has given all the political goodwill that exists; that can ever be given. So, it is up to the institutions that are charged with justice and the issues that relate to the due process to make sure that this goodwill is not squandered.

Mr. Temporary Speaker, Sir, I want to end my reply by quoting Colley Booker, just to emphasize how serious this issue about corruption is. He says:-

“If you look at great human civilizations from the Roman Empire to the Soviet Union, you will see that most do not fail simply because of external threats, but because of internal weaknesses, corruption or a failure to manifest the values and ideals that they espouse.”

Mr. Temporary Speaker, Sir, in my view, corruption is a bigger enemy to the future of our country than the terrorists’ threats posed by the Al Shabaab. This is an internal assault on our nationhood. Going by the remarks that I have just quoted, it is actually easier to fight external threats than to deal with internal weaknesses. I hope that the institutions that are responsible will do what they must.

Kenya lies in a paradoxical situation today. On one hand, the great potential of our nation lies ahead of us, but on the other hand, the threat that is posed by the great betrayal that has been caused by corruption and the other evils that bestride our nation today.

Mr. Temporary Speaker, Sir, with those remarks, I beg to move.

The Temporary Speaker (Sen. (Dr.) Machage): I would like to remind the House that this is not a matter that affects counties. Every Senator is free to vote. I will, therefore, put the Question.

(Question put and agreed to)

Order, Senators! We have a full tray this afternoon. We have two Bills that must pass because they have constitutional timelines. I request that the leaders of both sides of the House, through their Whips, make sure that their Members are in the House.

ADJOURNMENT

The Temporary Speaker (Sen. (Dr.) Machage): Hon. Senators, it is now 12.30 p.m. It is time to adjourn the business of the House. The House, therefore, stands adjourned until this afternoon, at 2.30 p.m.

The Senate rose at 12.30 p.m.