

NATIONAL ASSEMBLY

OFFICIAL REPORT

SPECIAL SITTING

Wednesday, 10th September, 2014

The House met at 2.30 p.m.

[The Speaker (Hon. Muturi) in the Chair]

PRAYERS

MOTION

ADOPTION OF REPORT ON VETTING OF NOMINEE FOR POSITION OF DIRECTOR GENERAL OF NIS

Hon. Speaker: Hon. Members, I may wish to understand. I see there is already an intervention from hon. Richard Onyonka. Is it an intervention, or you have pressed the wrong button?

Hon. Onyonka: Hon. Speaker, I think it is a mistake.

Hon. Speaker: I think you wanted to be an early bird, which is okay.

(Laughter)

It is okay to be an early bird.

Very well; the Chairperson of Defence and Foreign Relations Committee, you do not appear to have placed your card among the early birds!

Hon. Gethenji: Hon. Speaker, I beg to Move the following Motion:-

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the vetting of nominee for the position of the Director-General of the National Intelligence Service laid on the Table of the House today, Wednesday, September 10th 2014 and pursuant to the provisions of Section 7(3) of the National Intelligence Service Act (No. 28 of 2012) approves the appointment of Major Gen. Philip Wachira Kameru as the Director-General of the Service.

It is with great pride and honour that I move this ground breaking Motion on the Floor of this House today. This is a historic Motion. It is the first time in Kenya's history that Parliament has been called upon to undertake the task of approving nominees under the new Constitution by His Excellency the President. The nominee for the

Director-General of National Intelligence Service, according to the new Constitution, was presented to us for vetting through a communication from your Chair.

Before we start, I wish to first thank His Excellency the President for the nomination. I also thank the outgoing and retiring Director-General of the National Intelligence Service, Major-General Gichangi, for his good service to the country. I also wish to thank my Vice-Chair, hon. Bare Shill, and all the members of the Committee for the exemplary service and the hard work they put in day after day, night after night when vetting the nominee and putting together the Report that you see before you this afternoon.

All the Members of the committee exhibited exemplary service and sober approach and carried out the vetting with a great deal of decorum, which befits Members of this august House. History has been made today and I can think of no finer way of making that history. In keeping with our mandate, and according to the Constitution and our Standing Orders, Section 7 of the National Intelligence Service Act states one, that there shall be a Director-General of the Service, who shall, with the Approval of the National Assembly, be appointed by the President. Two, the President shall nominate a person for the appointment as the Director-General and submit the name of the nominee to the National Assembly.

On 21st August 2014, in your communication you informed the House that His Excellency the President, by way of a letter dated 20th August, 2014, had nominated Major-General Philip Wachira Kameru for the position of Director-General of the National Intelligence Service for approval by the House, pursuant to Section 7(1) and (2) of the National Intelligence Service Act, 2012.

The Committee held its sitting on Tuesday, 2nd September 2014, when the nominee appeared and was vetted by it. The Committee, in compliance with the Constitution and other legal requirements and established procedures for vetting, ensured its meetings were open to the public and were covered by the media. The requisite notification to the nominee was given on Tuesday 26th August, 2014; the requisite notices to the public were issued on 26th of August, 2014. Submissions from the public, as required by the law, were received by the Clerk of the National Assembly on Monday, 1st September 2014. There was only one memorandum from the Kenya Veterans Association; this memorandum was in support of the candidate.

On the particulars of the candidate, I think it was the considered opinion of the entire Committee that the candidate presented an outstanding curriculum vitae. The candidate, as it is outlined in the Report, has three Masters degrees in security intelligence. He is highly qualified and trained in the field of intelligence, and also in the fields of military and security services. This candidate was found by our Committee to be the most senior security intelligence officer in the Republic of Kenya, and was certainly without competition within his current position in the Kenya Defence Forces.

He has served in the KDF for 36 years and during seven of those years he has served in the position of the Director of Military Intelligence (DMI), a position which has seen him move from strength to strength and gather enough experience. Particularly, he served in Somalia where the KDF played a central role in the war against the *Al Shabaab*. The DMI and his department played an important role in providing intelligence information to allow the KDF forces to play their role effectively as the KDF; he also

enabled the AMISOM to achieve the great successes and gains that they have achieved to date.

We interrogated the candidate on his intentions for the National Intelligence Service, on his abilities and his future plans. It came out very clearly that this candidate had a very clear vision for the direction in which he wants the National Intelligence Service to take, and in particular in the challenges that are facing this country in the areas of security intelligence and general security. The candidate was very clear and forthright; it was put by our Members that we did not want to see a continuance of the blame game that we have seen in the past within the intelligence and security sector. It was important for the candidate to outline to us, which he did in a clear and forthright manner, his intentions and plans in order to ensure that the blame game that we have witnessed in the past will not be witnessed again in the future.

Hon. Speaker, the candidate, on interrogation, indicated areas that--- Apart from the obvious area of terrorism where Kenya is suffering, particularly in the areas of drug trafficking and terrorism, we put it to the candidate that the obvious security threat is terrorism and little attention nowadays is being paid to the areas of drug trafficking and contraband in wildlife. The candidate was very clear that he intends, within a very short space of time, to assist the other security agencies in the country to make sure that Kenya falls off the international drug trafficking and also the international wildlife products smuggling and trafficking maps. He appealed to this Committee and the House in general to assist the NIS in their endeavours. He undertook to, within the shortest time possible, return to the august House and present a report on his successes. He invited the Members of this House through the Committee to challenge him, should he be appointed to the position, on his successes in the near future.

As a Committee, we have no doubt in our minds that this is certainly the best candidate for the job. The Committee passed and approved his nomination unanimously; we have brought a report and our opinion to this House. We implore our brothers and sisters from both sides of the House to, in the spirit of improving our security intelligence and national security at large, support this nominee and allow him to move with haste to be sworn in by President to start the onerous job of the Director-General of the National Intelligence Service; this is the job of securing this great country.

Hon. Speaker, with those few words, I would like to invite my brother, hon. Adan Keynan, to second the Motion.

Hon. Keynan: Thank you, hon. Speaker. I want to take this early opportunity to congratulate His Excellency the President for nominating a highly qualified Kenyan, an expert in security, to take charge of this very important entity called the NIS. The NIS is the ear, the eye, the nose and, let me say, serves as all the senses of the Government and the people of Kenya. Therefore, it is only fair that we have the best security mind to head this critical organization.

For those of us who have been in this House for quite some time, we have seen the evolution of the intelligence agency. For those of us who are not familiar with the history of this critical organization to appreciate it, in 1926 the colonial government created an entity called the “Criminal and Intelligence Division”, which was basically to deal with those Africans who were beginning to agitate for Independence. The work of

the intelligence then was to find groups like the Mau Mau and others who were hell bent on attempting to educate Africans on asking for their rights.

After we got Independence, this entity was slowly transformed in line with the policies of the newly independent Republic of Kenya into a Directorate of Security Intelligence. It used to be called the DSI. Up to that time, the national intelligence unit was part of the police force. Therefore, intelligence gathering was somehow taken as part of day to day functions of the police.

After 1982, the Government of former President Moi started looking at the unique role of the intelligence agency. In 1986, the directorate was strengthened and its functions completely separated from the police force. In 1998, an Act of Parliament was passed; I am glad to report that I was a Member of the Committee that enacted the first legislation to create the National Security Intelligence Service (NSIS), an independent unit purely managed and operated under the NSIS Act. Since then, our intelligence agency has slowly transformed itself, and today it is no longer called the NSIS, but the National Intelligence Service. Functionally, it is completely different from the former NSIS.

One of the functions of the NIS is to detect and identify potential threats to the Republic of Kenya. This is why their task is to collect, collate, analyse, synthesise and disseminate intelligence information. This intelligence information is not limited to security intelligence. It can be economic, social, political or security. This is why we need to strengthen – the Government of Kenya has done this over the years – our intelligence agency. How do we do this? We do this by allowing them to recruit the best minds and giving them adequate funding. For the few years I have been in this House, the successive Governments of the Republic of Kenya have been very generous with this. The only way the agency can appreciate and reciprocate to the taxpayers is to ensure that the taxpayers are protected round the clock by giving the Government adequate intelligence reports.

The second function of NIS is to advise the President and the Government on security issues. There is something that we need to demystify. Over the last few years, there has been confusion whether there is an overlapping function between the Kenya Police, the Criminal Intelligence Department and NIS. The work of the Director of the NIS is that one; he is the principal security advisor to the Government of Kenya

(Loud consultations)

I want to really plead with the Members to consult in low tones.

Hon. Speaker: Hon. Members, including hon. M'ruaki, consult in low tones.

Hon. Keynan: Hon. Speaker, the DG is the principal security advisor to the President of the Republic of Kenya. At times we have been seeing the heads of this agency lamenting that they do not have powers. The head of this agency, being the security adviser to the President of the Republic of Kenya, is a critical person. Therefore, when we see the heads of such an agency lamenting that they do not have powers, I think that is not proper. They have all the powers and need to protect Kenya, and give the President proper advice on security and intelligence, so that he can effectively and properly run the Government of Kenya.

The third function of NIS is to take steps to protect the security interests of the Republic of Kenya. Over the last few years, the functions of NIS have been politicized. This has created a perception of challenge in the functions of one of the elite organizations that are supposed to enjoy the respect of every Kenyan. I want to urge the new Director-General--- He is a highly qualified Kenyan and a man who has a lot of experience in military intelligence; from his CV and the way we have interacted with him, we expect him to take our intelligence agency to another level.

The first step that the incoming Director-General, if this House decides to approve his nomination, should do is to “kill” this perceived jurisdictional conflict with the police and the Directorate of Criminal Investigations. Those of us who have handled the Westgate investigation and continue to lead security missions, know that a perception crisis remains a challenge to the proper functioning of the various security agencies in the Republic. That has to be sorted out, because perception can be a serious impediment; it can be a very serious barrier to effective co-ordination of security functions among the different security agents.

If this House confirms the Major Gen. Kameru, the first thing he should do is to allow the heads of different agencies to function as per their mandate. Over the last few years, having been the Chair of Defence and Foreign Relations Committee in the last Parliament, one of the challenges that we come across is that other security agencies complain that the NIS has slowly transformed itself into their prefect. This atmosphere of confusion must be brought to an end.

The other bit that I want to say today is that this agency has some of the best minds, and is adequately funded; as far as we are concerned it is supposed to be the eyes, ears, nose and all the senses of the Government of Kenya.

Then the question is; why the perception of Kenyans that NIS is not meeting its constitutional obligation of protecting them? This has something to do with the perception because deep inside every Kenyan, there is a feeling. If you asked those who lost the election, they would tell you they were rigged out by NSIS. If you ask some organisations why they are not performing, they will tell you it is because of NIS. If you ask a politician who has failed, they will tell you the same. We need to kill this perception, so that we have an entity that is trusted, functions above all and has the confidence of every Kenyan.

In the past one month, I have seen some legislation amended through the Statute Law (Miscellaneous Amendments) Bill; I want to take this opportunity to thank the leadership of the House. Those amendments were tailor-made for strengthening the criminal investigations unit, and not the NIS. The NIS ideally is supposed to be an elite entity, and nothing stops it from recruiting the Speaker of the National Assembly or the Leader of Majority Party, or any other Kenyan. Therefore, when the NIS attempts to give themselves powers of arrest---

(Laughter)

Hon. A.B. Duale: On a point of order, hon. Speaker, I want to confirm that I am not a recruit of NIS, and secondly I have not applied to be a recruit. I want him to

withdraw, because the only job I have is that of the Member for Garissa Township and Leader of Majority Party; he is saying I can be an easy target for a recruit.

Hon. Keynan: What I am saying is that the NIS is supposed to have representation in the churches, Parliament, kitchens and in any institution like the Cabinet. Everywhere they are supposed to be around once function is clearly identified. I do not in anyway mean they should recruit the Leader of Majority Party. I was saying that is the function of the NIS. I am sure there are a few amongst us here and they should remain anonymous; they are part and parcel of that critical entity. That is their function, hon. Speaker.

I do know that at times people feel that my tribe mate or somebody from my region ought to be appointed. This entity requires a highly qualified person who has been tried, tested and verified, and one who really understands what it means to be the head of an intelligence service. This person with the background from the military intelligence, which is another critical arm of our intelligence--- I have no doubt in my mind that he is the best choice.

Therefore, I stand to second this Report and plead with the Members here to unanimously support the nomination of Major Gen. Kameru.

Thank you, hon. Speaker.

(Question proposed)

Hon. Speaker: Hon. Members, I can see a request from hon. Cornelly Serem.

Hon. Serem: On a point of order, hon. Speaker. Considering the interest of Members in this subject, is it in order for me to request that we reduce contributing time from 10 minutes to five minutes?

Hon. Members: Five minutes.

Hon. Speaker: Hon. Serem, you do not ask me whether it is in order. You propose the Motion.

Hon. Serem: I propose and request hon. Jamleck Kamau to second.

(Laughter)

Hon. Speaker: Hon. Kamau, will you second? Hon. Members, this does not even require a seconder.

Hon. Serem: Five minutes.

Hon. Speaker: Five minutes.

(Question, that each speech be limited to five minutes, put and agreed to)

Hon. Members, debate commences but please pay attention to the light. Also prepare your thought processes, so that within five minutes you condense your contribution; as I speak now I have 81 requests; of course hon. Richard Onyonka--- I think he has still not mastered the proper button. He is no. 86, but I know he came early. Hon. Members, I think it is only fair that we organize ourselves in a way that helps us to

allow for debate on the second Motion, and at the same time give opportunity to as many Members as will desire to contribute to this Motion.

Do I see the Leader of Minority Party desiring to speak?

Yes, hon. Nyenze; your card must be among the 70 something that I have.

Hon. Nyenze: Thank you, hon. Speaker. Sometimes I wonder whenever you try to bend to greet us, and why you do not start with this side. Today you have started well and I congratulate you.

I just want to congratulate the President for appointing a very able man. I do not know him in person, but from reports, the Chair of the Committee, serious hon. Members like Aden Keynan and others whom I have consulted, this is very qualified person. We need a very qualified person for this very serious position, so that this country can move ahead.

I want also to congratulate the Committee for very good work done. I have consulted hon. Members of that Committee like hon. Jakoyo Midiwo, hon. Nyiva Mwendwa and others like hon. Wakhungu who sit on that Committee. The Committee's decision was unanimous because this is a very qualified person, whom I do not know in person, but I have to agree with the Committee.

I do not want to over-emphasize the importance of having a very good person to head the National Intelligence Service (NIS). I have no doubt that even the former boss of NIS may have been accused of many things. But Major General Gichangi did a good job; every time we used to be told that he had given reports but they were not acted upon. People may not love him, but he did a good job by reporting but his reports were not acted upon.

I want to say that it is good to demystify the work of NIS. As was said earlier, there have been accusations that NIS is the one that muddled so many things like elections and politicians' lives. The NIS is hated and referred to as a tool used by the Executive to punish those who do not toe the line. This is an institution funded by taxpayers' money; it is the duty of the holder of this office to make sure that the first thing he does is to educate Kenyans to know his work. As it has been said, he should be represented everywhere; in churches, mosques, streets in Eastleigh, Machakos and everywhere else, so that he can get information before Kenyans suffer any kind of attack.

Hon. Speaker, I just want to say that the only thing that I would have wished the President to have done is to have got someone from another region of Kenya and Mount Kenya; he should have got a person from either Luo region, Kamba region or the Coast region. But because this man is qualified, I will not fault the President; I will congratulate him. But because the Constitution requires the face of Kenya in all appointments, next time, let this key position not go to the same region where the President comes from, so that there will be equity and fairness.

I support the recommendations of this Committee because this time they have tried to balance and bring the face of Kenya into the picture. Out of 25 positions, at least we can see nominees from the Coast, Taita, Luhya, Kisii and one Kamba. At least, the President has tried this time.

An hon. Member: There is no Taita!

Hon. Nyenze: I am being told that there is no Taita on the list, but we have brought up Mr. Mwadeghu.

Hon. Speaker: Hon. Mwadeghu, you have indicated you have a point of order. Do you want to raise a point with regard to what your leader has said?

Hon. Mwadeghu: Jambo la nidhamu, mhe. Spika. Ingawa wamenipatia wadhifa wa Kiranja hapa Bungeni, siwezi kuwa Kiranja na nikubali matamshi ambayo hayawezi kuthibitishwa. Wataita wameonewa hata wakati huu. Siwezi kuunga mkono hata mtu mmoja kwa sababu hakuna Mtaita hata mmoja ambaye amepewa wadhifa.

Kwa hivyo, siwezi kuunga mkono na hamna---

(Loud consultations)

Hon. Speaker: Order! Order, hon. Members! Hon. Mwadeghu claimed to be on a point of order, but he merely went on to rumble about his community. There is nothing out of order about that. A point of order is not used to disagree with what another member has said.

Proceed, Leader of Minority Party.

(Loud consultations)

Order, hon. Members! Hon. Ng'ongo, you cannot be talking to hon. Peter Kaluma from that far. Obviously, there must be noise.

Hon. Nyenze: Hon. Speaker, I want to conclude by saying that in previous appointments, leave alone the Taita issue, we never saw the face of Kenya. For the first time, out of the 25 nominees, at least the President has attempted to touch on every region. I am sure next time more areas will be reached, including Taita area. That is why I support the Committee's work; this is a good job.

I congratulate the President and support these appointments.

Thank you, hon. Speaker.

Hon. Katoo: Thank you, hon. Speaker. I also rise to support this Motion. First of all, I congratulate the mood of the House. The ten days we have been on recess have been so good and we are really here to transact business as Kenyans.

On this particular nominee, the Director-General of NIS, I also want to agree with my colleagues in the Committee that this nominee has impressive credentials, both academic and otherwise. If you look at his three Masters degrees, they are all in security matters. They are not just about security, but security intelligence. Of the 36 years he has served in the military, he has served in the intelligence department for over 15 years. I have no doubt in my mind that this nominee, if his name is approved by this House, will take the NIS forward. If you look at the key areas in security of this country like the Immigration Department--- The nominee was appointed recently by the President to the Immigration Department.

(Loud consultations)

Hon. Speaker: Order, Members! Remember, I must hear what is being said. Some of you may want later to rise on points of order, but I will not have heard hon. Members debating. You may want to challenge something that has been said. Even if the

rest of you do not want to hear, you must allow me to hear, or make it possible for me to hear. So, please, consult in low tones. I am not saying that you sit as if you are planted. I know hon. John Mbadi is an active Member and he wants to make some contribution somewhere else. Please, do it in low tones.

Hon. Katoo: Hon. Speaker, it really shows that we are colleagues and we have really missed each other in the last ten days. That is why the consultations are so intense.

I was saying that the Immigration Department, with the newly nominated Director-General, who is also from the military--- Also with the ongoing reforms in the Police Department and public sector, I do believe that the NIS is going to have a face; it is going to continue doing a very good job. I am sure that we are going to secure the borders of this country as well as the lives and property of Kenyans.

Without belabouring that point, I would like to plead with my colleagues that we give this nominee an approval for work to start immediately.

I beg to support.

Hon. Speaker: Hon. Members, you make it very difficult for me to even follow. Yes, Deputy Leader of the Minority Party, hon. Washington Midiwo.

(Loud consultations)

Hon. Midiwo: Hon. Speaker, I rise to support the Report. I want to congratulate the nominee and hope that the House will agree with the Committee. There are so many issues that have been raised and I do not think it is fair to trivialize them, even though we think the nominee is highly qualified.

The first thing is that perception of NIS must be dealt with, if we want to have a country where people feel safe. Right now, NIS is generally known to be a political force. Personally, I do not regret the departure of the former head of NIS. I welcome this one and I hope he will act differently. This is because I know the role of NIS in elections. I would have liked this particular report to have come through some structure in the police force.

The information that is gathered by the NIS is somehow used not only by the President, but also by the police. There is no channel as to how information from the Director-General, or the NIS, should reach the Inspector-General (IG). As we look into the new structure of the Constitution, I would have loved that this particular Director-General sits in the National Police Service Commission and divulges information relating to intelligence. Right now the Director-General of NIS can get information about stolen chicken in Siaya, and that information is taken to the President. There is an anomaly; this is a force which is misdirected. The information that it is using, or gathering, is going to the wrong places. I would want us to approve the nominee and move on in that direction; we should agree that the structure of intelligence agency and that of the police run parallel. I do not think that as it is, it is helping us.

When we were doing the Westgate investigations, the NIS insisted that they had given the police information. However, there was no way of verifying that. So, it was one section of the police blaming the other one. We can sort out all that in a good structure. The NIS must do its work. The things we have seen in the last one year--- How can

ordinary people move into Lamu and massacre Kenyans without the NIS knowing? How? How can people be massacred without the NIS knowing? Something has to happen.

With regard to the very unfortunate event in Migori on Monday, there is no way the President can go to a place which is not hostile to anybody like Migori and get embarrassed, yet there is an intelligence organ. What is the work of intelligence agency?

(Applause)

What is the work of the NIS? Even if politicians had sponsored these people, they should have been caught before the President went there. You cannot be blaming politicians! I want to disagree with my colleague, hon. A.B. Duale. It is not always good to rush because you influence the investigations by the police. Watch your mouth, especially when it is a danger to the person holding the Office of the President. It is not always politics. You know every area has unique issues. Let us do this thing as mature people. Let us help ourselves; it is wrong for the President not to be told that he is going to an area where people do not want to see even the governor. Why is the President going to distribute nets when he could have sent his Cabinet Secretary? This is important to us. We want to obey and respect the Office of the President; please, stop making the Office of the President look like that of an ordinary Member of Parliament. He is not an ordinary Member of Parliament.

Hon. Speaker, I support.

Hon. Dido: Hon. Speaker, I rise to support the nomination of Major-Gen. Kameru for the post of Director-General, NIS. I served with him in the KDF. I want to say this to hon. Members, particularly hon. Midiwo, General Kameru is a good leader, and I believe he will make a good leader when he goes to the NIS. He is a good listener. I think what we politicians want is that those in the Executive must listen to us and the voices of the people.

Hon. Speaker, General Kameru is also a fair, respectable, and professional officer, who has served this country in colourful career. He rose through the ranks from Second Lieutenant to the rank of Major-General. As a member of the Defence and Foreign Relations Committee, I want to thank our Chairman. We were able to sit long hours to deliberate on the suitability of this candidate. We were unanimous that General Kameru fitted the bill, and that he would be the most suitable officer to replace the outgoing Director-General.

In the hierarchy of intelligence he was only second to the outgoing Director-General. So, appointing him the Director-General is actually promoting him from a lower office to a higher office. We do not expect him to go and learn on the job. Actually, he will continue doing the intelligence job that he has been doing in the military. If appointed, General Kameru will demystify the NIS by talking to the people and being available; he is a good listener. I think we have had problems in our country continuously in the last eight months or so, and everyone is blaming the NIS. I think that with the appointment of General Kameru many of these things--- As a professional intelligence officer, I believe he will bring some of these things to an end.

Hon. Speaker, under Article 242 (2) (a) of the Constitution, the NIS is responsible for intelligence to enhance national security in accordance with the Constitution. I think

Gen. Kameru knows his job, which is already cut out for him as he moves into the office of the Director-General (DG); Kenya must be safe. Kenya must be able to look after its people. Our borders must be safe for Kenyans to be able to prosper or develop.

Hon. Speaker, I served in Somalia and the person I was directly reporting to was Gen. Kameru, who was the head of the Directorate of Military Intelligence under Operation *Linda Nchi*, which was the biggest operation undertaken by the Kenya Defence Forces (KDF) since the *Shifita* wars of 1960s and early 1970s. I think because of good targeted intelligence that was done under Gen. Kameru, the Kenyan troops were able to enter Somalia. Due to that, Kenyan troops have been able to work effortlessly with the local population. The attack on Kismayu, which the Kenyan troops were able to--- I think if it were not for the good intelligence which was provided under Gen. Kameru, it would not have been possible to enter the town.

Hon. Speaker: Hon. Nyamweya.

Hon. Nyamweya: Thank you hon. Speaker for giving me a chance. First and foremost, I am going to support the nominee. I think for the first time the President of this country has made an appointment devoid of tribalism. He has made an appointment which has looked at the qualifications of the person who has been appointed. One thing I want to say is this, as this guy joining the National Intelligence Service (NIS) it is time for those other senior people to resign in order to give the President a chance to improve intelligence gathering. You know, we have been saying that the people in top positions in the NIS are from one community, which is true. But now the President has a chance to clean up and those who are a hindrance to this country having a better security system should give room, so that the President can appoint other qualified Kenyans.

I support this. I am looking at the qualifications of the nominee. He is fully qualified academically. He has good professional training. I have looked at the way he has worked in the armed forces. He has risen through the ranks. He started as a cadet officer. He has moved up patiently. If you look at the records and the way he has been promoted to the level he is in, then you do not see somebody who was favoured. You do not see somebody whose promotions were fast-tracked. I support this nominee, because I think for the first time since the Jubilee Government was formed we have a bipartisan appointment which the President has made.

Another issue that I want to mention is that as we move on as a country, the issue of intelligence will be very crucial. *Mheshimiwa* has mentioned here what happened in Migori, and which I condemn very much. It is unacceptable for any leader from whichever political persuasion to heckle, or try to disrupt a function of the President. However, the question is: Where was the intelligence? Where were these people who are supposed to advise the President on the situation on the ground, and that he needs to do this and that? There is still a challenge with the gathering of intelligence and how intelligence officers operate. We may blame people, and people maybe arrested for throwing stones but this incident should not have happened if we had the right people providing the right information.

I urge Members that we support this nominee, so that he can be a new broom in the NIS to help this country not only in gathering intelligence--- You know sometimes there has been a misconception when people say that intelligence is looking for politicians. Intelligence needs to be beyond looking for what I say or any politician says.

It needs to go beyond economics, what other countries are doing and what our neighbours are doing in terms of economics, so that we can have economic advantage and look after our interests as a nation. It needs to be beyond who we are socially, economically and politically, so that we can actually develop as a nation. If we have good intelligence gathering the President should be able to make good decisions even internationally when he is lobbying or going out. He needs people who can help him move this country forward.

With those few remarks, I support the nomination; I have said this is the first nominee that the President has appointed without any bias, and the man is qualified for the job irrespective of where he comes from. It does not matter where he comes from because people will say he has come from somewhere. I do not think this nominee should be viewed from that angle.

Thank you, hon. Speaker for giving me a chance to contribute to this Motion.

Hon. Speaker: Yes, hon. Kangogo.

Hon. Bowen: Thank you, hon. Speaker. I stand to support the Committee Report on the appointment of Gen. Kameru. Let me first congratulate the Committee for this very good report and also congratulate the President for the appointment of the General. This is a very important position for the security of this country and I have only two issues to raise.

As much as I support the General, this trend of picking the DG of the NIS has become worrying, especially to the employees or the senior directors of the NIS. It is really demoralising that the deputies who are there, and who are supposed to be promoted because they have worked for so many years are left out. They should have been promoted to this position.

Hon. Speaker, by saying so I am not opposing the appointment of Gen. Kameru, but I am saying that in future the President must look into that, so that we give morale to officers who have been working, and also provide room for the lower level officers to move upwards.

Hon. Speaker, the issues surrounding NIS and its functions are very important.

Hon. Oyoo: On a point of order, hon. Speaker. The Member on the Floor could be misleading this House by saying that there are seasoned and experienced officers in the NIS, who were left out. History will judge us harshly if we lie since this is a House of records. It is President Moi who took the first step by appointing my friend, Brigadier Wilson Boinett from the armed forces to the NIS. So, President Uhuru may just be following in hon. Moi's footsteps.

(Laughter)

Hon. Speaker: There is nothing out of order. Proceed. Hon. Oyoo, you are out of order.

Hon. Bowen: Hon. Speaker that was not a point of order. I think the hon. Member wanted to give a point of information in order to make a small contribution.

What I am saying is that three or four DGs who have been there have been picked from elsewhere and not from the NIS. I am saying that we need to encourage picking of DGs from the NSIS in future.

Hon. Speaker: Hon. Kangogo, and for the benefit of every Member, there is no institution called “NSIS”. That one disappeared with the promulgation of the new Constitution and the enactment of the law we are using, No.28 of 2012. It is NIS.

Proceed.

Hon. Bowen: Thank you, hon. Speaker. It is NIS and I stand corrected. This is an institution with a lot of money. If you look at the Budget that we passed a few days ago they were given a lot of money, and there is no excuse as to why they should not perform.

Hon. Speaker, another thing is that there is need to look afresh at the recruitment policy of NIS; we have seen them picking graduates in order to recruit them as officers. These are officers who have studied here in Nairobi. They cannot go to Garissa and other remote areas; if at all they go there they just relax. Some of them call us asking whether we are going home over the weekend; they want to rely on our information. Some of them are doing their Masters degrees in Business Administration and International Relations instead of doing Masters degrees in Security Management and Forensics.

Hon. Speaker, I would like to say that with the nomination and the possible approval of Major-Gen. Kameru, we will see a new face of National Intelligence Service. Quarrels about co-ordination with the National Police Service will be a thing of the past. We are going to see an effective and efficient service.

With those many remarks, I support.

Hon. (Ms.) B.N. Nyaga: Thank you, hon. Speaker for giving me this opportunity. I rise to support this Report. I am a Member of this Committee. I appreciate the nomination of Major-Gen. Kameru for the position of the Director-General of the NIS.

Hon. Iringo: On a point of order, hon. Speaker. May I say that the Members of the Committee had enough time to ventilate on this. Could we get a chance because they already have had a chance to contribute in the Committee? This is because most of the Members who have spoken are Members of the Committee. Could we reduce debating time to three minutes?

Hon. Speaker: Hon. Members, I keep telling you to familiarize yourselves thoroughly with your Standing Orders. You made a decision that the contribution time will be five minutes, and in the middle you want to change that. We do not operate that way. This is not a high school or a kindergarten where you can change things midstream. You agreed that the contribution time would be five minutes. The Members of the Committee have also a right to contribute to the Motion but I have heard you.

Proceed, hon. Nyaga.

Hon. (Ms.) B.N. Nyaga: Thank you, hon. Speaker. I do not know why hon. Iringo always likes complaining.

I want to congratulate the Committee which did a wonderful job. We have been sitting at odd hours. I also thank the Speaker and the Clerk of the National Assembly for giving us enough staff, who did a wonderful job. They were committed all through.

Major-Gen. Kameru has wonderful credentials and is very committed. If you listen to him, you will find that he knows what he will do in the NIS. This is the kind of person we need in this country. He has the qualifications to work for Kenyans.

Hon. Speaker, I support the Report.

Thank you.

Hon. Wamunyinyi: Thank you very much, hon. Speaker, for giving me this chance to also contribute to this very important Motion. Let me start by saying that as a Committee we all agreed that Major-Gen. Kameru was the best candidate for this position. We congratulated him for the nomination.

I truly support this nomination. I want to say two things. The strategies to ensure that our country is secure are based on good intelligence. Unless the NIS is strengthened and is focused, we will continue to have problems. I believe that with the credentials we have seen in Major-Gen. Kameru, he will add value to this office, and he will ensure that our country is secure.

Secondly, from his explanation, and as a Kenyan who has been around, we saw how the KDF conducted themselves during the successful entry into Kismayu. All this was as a result of good intelligence; a successful operation was undertaken. I want to call on my colleagues, hon. Members of Parliament---

Hon. Speaker, I can see the mood is that Members want to speak. I want to call on them to support the nomination of Major-Gen. Kameru. We should approve this nomination, so that we have him in office, and the security of our country is improved.

I thank you with those few remarks.

Hon. (Ms.) Munene: Thank you, hon. Speaker. First of all, I thank the President of the Republic of Kenya for nominating Major-Gen. Kameru. I would also like to thank the Committee because it has done a good job of approving Kameru to be the Director-General of the NIS. I know that he is a good person. He is a humble person, who likes to work. I know that he will not disappoint Kenyans because security will be improved.

I thank the President because Major-Gen. Kameru comes from my area. May God bless you.

(Laughter)

Hon. (Maj-Gen.) Nkaisery: Thank you very much, hon. Speaker, for giving me this opportunity. I want to begin by thanking the President for nominating this fine officer. I have to declare my interest that I had the privilege of training Major-Gen. Kameru when he was a young officer in the army. He is a fine and first class officer. He served this country with distinction in all the positions he was appointed.

The performance of KDF in Somalia was as a result of the intelligence provided by the Military Intelligence headed by Major-Gen. Kameru. He takes the new appointment with a lot of experience and qualifications.

Major-Gen. Kameru has been the Director of Military Intelligence. This is an institution---

(Loud consultations)

Hon. Speaker, could the hon. Members speak in low tones?

I have said that Major-Gen. Kameru has a wealth of experience and he is currently the Director of Military Intelligence. This is an institution that provides intelligence for the security of this country.

The new institution the General is going to head, as alluded to by my friend, hon. Keynan, is the ears and the eyes of this Republic. This institution requires people with immense experience. Major-Gen. Kameru is one of those individuals.

Hon. Speaker, Major-Gen. Kameru has served as the Director of Military Intelligence, Deputy Director of Military Intelligence and Commander of the Signal Corps. Therefore, this institution will provide security in this country.

I want to talk about lapse in intelligence in Migori. It is true that intelligence service should have provided the President's team with intelligence about the goons who caused a very shameful act before the President.

Hon. Speaker, when my brother, Midiwo, alluded to the lapse of intelligence in Migori, he should have apologized on behalf of the Luos for that shameful act.

Hon. Members: No! No!

Hon. (Maj-Gen.) Nkaiserry: That was very shameful, hon. Speaker.

(Loud consultations)

Hon. Speaker: Order, hon. Members! Hon. Ken Obura and Ms. Abdalla, when I am on my feet you must freeze. If a Member says something that you do not agree with, that does not become disorder. It is not and it does not! If a Member has said something you do not agree with, press your button and I give you a chance. But you do not all stand up and start screaming that something is out of order.

Hon. Kaluma, the Speaker's position is such that you will not engage in an exchange; it is very risky for you. You must know that.

(Laughter)

Just place your intervention card and I will recognize you. Please, let there be some decorum in the way we conduct business. You are standing, hon. Keynan; I cannot recognize you.

Hon. Keynan: Thank you for giving this opportunity---

Hon. Speaker: Hon. Keynan, I have not recognized you. Resume your seat; hon. Peter Kaluma is on a point of order.

Hon. Kaluma: On a point of order, hon. Speaker. You have heard hon. Maj-Gen. Nkaiserry saying the Luo Community should apologize for the unfortunate incident, which the President found himself in. Is the hon. Member right to claim the Luo should be apologizing when we know the composition of Migori County? In fact, this is the county that has the manifestation of the entire Kenya. It has the Kurias, the Luhyas, the Somalis; everybody is there. In fact, the Member of Parliament for the area is a Somali.

Hon. Speaker: So, what is out of order? Just draw my attention to what is out of order.

Hon. Kaluma: He should apologize to the Luo Community for referring to Migori, which has the face of the country, as a Luo area.

Hon. Speaker: Hon. Kaluma, that is a point you can very well advance if you just wait. Your name is not too far away on the list to give your contribution and argue that it is wrong for hon. Maj-Gen. Nkaiserry to mention a whole community.

Hon. Obura, this will be the last warning I am going to give you. You must have come from some funny constituency. It is not done that way here.

(Laughter)

Hon. (Maj-Gen.) Nkaissery, proceed.

Hon. (Maj-Gen.) Nkaissery: Hon. Speaker, I said there was lapse of intelligence in Migori; when my brother, hon. Midiwo, was alluding to that lapse in security, he should have also offered an apology on behalf of his community; that is all I said. I did not say anything beyond that. The Maasai do not live in Migori. It is the Luos, and not Maasai, who live there. If it was the Maasai, I would have apologized.

Thank you hon. Speaker; with those few remarks, I support.

Hon. Speaker: Hon. Midiwo

Hon. Midiwo: Hon. Speaker, what hon. Nkaissery is trying to say in this House is out of order. We are debating a report in which the Committee is totally agreed. If they want a position, we will give it in a minute. Let me say this, a criminal is a criminal whether they are Luo or Kikuyu.

(Loud consultations)

Hon. Speaker: Hon Members, why do you not allow the Member to prosecute his point?

Hon. Midiwo: The hon. Member cannot trivialize a scenario where the life of our President was in danger. What is there to apologize for? Why can we not talk to the National Intelligence Service to do its job? This is a failed military officer; that is why he came to politics.

(Laughter)

We are trying to help a fellow military man. Hon. Maj-Gen. Nkaissery needs to watch his mouth. This is a retired 70-year old man who needs to guide people, and not talk carelessly.

(Laughter)

Hon. Speaker: Hon. Nkaissery has already concluded his contribution.

Hon. Njuki: Hon. Speaker, I would like to take this opportunity to condemn what happened in Migori, and say that even when there is death in this country of one of our beloved people, we normally offer condolences. I have not heard any regrets, or any form of apology from the leadership.

I want to support this Report and thank the President for this time appointing a very qualified person. Insecurity in this country in the last few years has been a serious problem.

Hon. Speaker: Hon. Muthomi Njuki, just one second.

Hon. Members, for avoidance of doubt, I want every Member to look at the Order Paper, read and understand the Motion. It does not contain some place called “Migori”, or such like neighborhood. Please, let us restrict ourselves to the Motion. There are rules of relevance to debate. I do not see anything called “Migori” in this Motion.

Please proceed.

Hon. Njuki: Thank you, hon. Speaker for your guidance. I was saying that intelligence in this country has been a big issue. Kenya is the only country where you walk into town and people greet you as they introduce themselves as National Intelligence Service staff, when in actual fact they are supposed to be working in secrecy. It is my hope that the appointment of one Phillip Wachira Kameru will actually bring sanity to this very important sector.

Today, the mood is very good in the House because for the first time we have nomination for national appointment, and I have not heard people talking about ethnic balance. It, therefore, means the President must have picked on the right person irrespective of his tribe. Qualification is what is beyond tribal consideration. Look at the academic qualifications of this particular officer. I have positive concern for one of his qualifications, a diploma in telecommunications engineering. Gathering intelligence in the world at the moment involves a lot of information technology and telecommunication. It is very important that we have a person who is well informed, and is able to deliberate on this particular subject. Even though we may be saying that he has been in the service for a long time, it is important to actually match his experience with service delivery. Suitability, capacity and integrity are very important when it comes to delivering service to the people. Even though we have said he has three degrees, I do not see anywhere in the Report where an undergraduate degree has been mentioned. However, I believe there is no way you can get a Masters degree without an undergraduate degree.

I would like to ask the Chairman of the Committee to avail that, so that we are able to know what other level of education this man has. Thirty-six years experience in the service and being the Director of Military Intelligence will enable him to deliver on his mandate.

With those few remarks, I would like to support the Report.

Hon. Muluvi: Thank you, hon. Speaker, for giving me this opportunity to contribute to this Motion. I have known and worked with General Philip Kameru for many years. I want to tell the House that this, in my view, is one of the best things that the Government has done for the people of Kenya. Putting politics aside, General Kameru is one of the most well trained professional intelligence officers that we have at the level of a general in this country. If it is a question of suitability for the office, General Kameru fits the office of the Director-General of the NIS.

In addition to the suitability of the officer, he is a very competent officer. Intelligence is an advisory service to the Executive. The only comment I want to make is that Gen. Kameru, given the proper latitude to do this work, will be likely to see a reverse of the insecurity that we are experiencing in the country. What will be unfortunate will be if those around the President do not give him the actual latitude to execute his mandate as provided in the Constitution. Otherwise, if this House approves the nomination of Gen.

Kameru, then we are going to see a reversal of insecurity in this country in the near future.

With those few remarks, I support the nominee.

Hon. A.B. Duale: Thank you, hon. Speaker. I stand to support this Motion and a report that is dealing with the Director-General of the NIS. Also, I want to thank the Committee on Defence and Foreign Relations for the report. I participated in the enactment of the NSIS Act, 2012; it is a great thing today, more than ever that the person at the helm of the NIS has to go through parliamentary vetting and approval. That is the gist of the matter and these are the benefits of the new Constitution.

I do not want to praise Gen. Wachira Kameru. He has a serious job ahead of him. He must re-organise the NIS. He must make sure that Kenya is safe from the threat of *Al Shabaab*, local gangs, drug dealers and money launderers. Never again will we see the President sinking a ship with its cargo. He must provide intelligence to detect a similar ship before it arrives in Kenya. Let us not cheat ourselves. Under the Jubilee leadership, serious questions were raised on security agencies in our country, including the NIS. We had a spate of attacks; some of our constituencies were attacked on a daily basis. We should not trivialize this matter by equating it to what happened in Migori. What happened in Migori is an issue for the people of Migori. It is not an issue for the people of Kenya. Whether it is a Cabinet Secretary or the Governor of Migori or an MCA, the treatment that is offered to leadership is a collective responsibility of every Kenyan.

General Wachira should not be judged on the basis of his community. He should not be judged on the basis of the region he comes from. He should be judged on the basis of his CV and experience. He was instrumental in the invasion of Somalia by the KDF. We see our forces in Somalia, and the intelligence from him as the Director of Military Intelligence in the KDF. Gen. Wachira provided the necessary intelligence and infrastructure for our forces to capture Kismayu and to fight off the threat of *Al Shabaab*. Being the Director-General of the NIS is not a birthday party. It is not similar to being the Director of Veterinary Services at Kabete. The Director-General of the NIS is a serious person. He must portray political non-partisanship and neutrality in all the intelligence that he gives.

He is answerable to Parliament and we will expect him to give the President the best intelligence reports that will not be biased. We expect him to take the NIS to a greater height. For a long time the NIS, in the eyes of Kenyans, has been wanting. We expect Gen. Wachira to bring a fundamental shift and changes to this institution. The NIS should not preoccupy itself with the activities of politicians. It should not engage in asking questions like: where does the Member for Muhoroni stay? Has he met hon. Duale? Is he dining with the Jubilee Coalition? That is not the business of the NIS. The NIS must secure our nation. They must neutralize threats that are imminent from across the border. They must maintain an intelligence network in South Sudan, Somalia and all the hot spots around our country.

According to his CV and experience, Gen. Wachira is up to the task. We expect the President to go further and make sure that people who are given responsibility to hold public offices in our country are men and women who will deliver on the vision of the Jubilee Government. Even if we build the railway, provide laptops or grow our economy by double digits, if the security of our country is not assured, our country will not move

forward. We should not blame the intelligence for what happened in Migori. We should blame ourselves, the politicians. Let us not push the problem to the intelligence staff. It is ours. I am sure the Inspector-General of Police will go to the bottom of the issue, and bring those who sent money to book. If they are Members of this House, they must be ashamed. They must be taken to court. How do you use your little resources from your mileage and committee sittings to hire hooligans? It was a dark day for Kenya.

Hon. Nkaiserry is one of the best generals who have served in the KDF. He served with my father-in-law. He was an officer under my father-in-law, retired General Mohamed, and his credentials are well known in the KDF. They can never be erased by politics in this House. Maj-Gen. Nkaiserry is renowned. He has done well in politics and in the army. He secured a number of regions, including Pokot and Turkana when there were issues. What happened in Migori is very shameful and should not happen to Maj-Gen. Nkaiserry when he becomes the next President many years to come; he should be able to go to Garissa and Kiambu.

With those few remarks, I support.

Hon. Maanzo: Thank you, hon. Speaker, for giving me the opportunity to contribute to this important Motion, which is meant to approve the appointment of the Director-General of the NIS.

I would like to state that recently Kenya faced external aggression where a lot of lives were lost. The life of a single Kenyan is very important; therefore, I support the appointment of the new DG of NIS, so that Kenyans can be secure.

Though the previous DG has retired, we, my constituency and I, hope that the channel of reporting intelligence and acting upon it will be looked at, so that whatever was happening during the tenure of the retired DG does not happen again, if this House approves the appointment of the new DG of the NIS. Garissa Town, which hon. Duale represents was the fastest growing town in East and Central Africa in the last three years or so. But today, because of insecurity and poor intelligence reporting, or acting on intelligence information, growth is no longer witnessed in Garissa Town.

We hope that the new DG will do his level best when it comes to securing the country, so that we do not have incidents like what we had at Westgate and Mpeketoni repeated at any other place in Kenya. Intelligence information should flow from grassroots to all offices, including that of the President, whose main objective and duty is to take care of the security of the country. Having looked at the CV of the appointee and his experience, and having listened---

Hon. Speaker: Hon. Wamalwa, what is your point of order?

Hon. Wakhungu: On a point of order, hon. Speaker. Looking at the Order Paper, we still have 25 nominees; again looking at the mood of the House and from the contributions, it seems that this Motion will be passed unanimously. Will I be in order to request that we call upon the Mover, to reply, so that we move to the next Motion on ambassadors?

Thank you, hon. Speaker.

Hon. Members: Yes.

Hon. Speaker: Very well; hon. Members, if you read your Constitution very carefully, you will notice that Article 122 specifically provides that the Speaker of a House of Parliament has no vote. My business is to preside over proceedings in the

House; looking at the mood of the House, let me put the Question; you are the ones to make the decision.

(Question, that the Mover be now called upon to reply, put and agreed to)

Hon. Speaker: Yes Mover.

Hon. Gethenji: Thank you, hon. Speaker. I wish to thank hon. Members of this House for the responses and support of this Motion; hon. Members have also echoed the sentiments of my Committee.

Very briefly in response to hon. Njuki's question on the qualification of a candidate, under Section 7(b) of the NIS Act, to be the Director-General of the NIS, you must have a degree. That degree certificate was supplied to the Committee, it is in the possession of the Clerk; should he wish to peruse the document, he is most welcome to do so.

Hon. Speaker, I have no doubt in my mind that Major-General Kameru will transform the face and, indeed, body of the NIS. I believe we will now have a DG who will stand shoulder to shoulder with the best intelligence officers in the region and, indeed, the world. This House and, indeed, all Kenyans can look forward to a transformed NIS, which they can have confidence in. Our Committee of Defence and Foreign Relations is committed to continuing its oversight role on the NIS, and on other departments that fall within our docket. We assure Kenyans that we will continue to monitor the performance of the new DG of the NIS in the interests of this Parliament and of the great people of the Republic of Kenya.

With those few remarks, I beg to move.

Hon. Speaker: Hon. Members, this is the crucial time when, as you know and as I have just said, Article 122 precludes me from having any view.

(Question put and agreed to)

MOTION

ADOPTION OF REPORT ON VETTING OF NOMINEES FOR APPOINTMENT TO DIPLOMATIC POSITIONS

Hon. Speaker: Yes, Chairperson.

Hon. Shill: Thank you, hon. Speaker. I have a Special Motion for approval of nominees to various positions in the offices of high commissioners, ambassadors and diplomatic representatives.

Hon. Speaker, I beg to move:-

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the vetting of nominees for appointment to the offices of high commissioners, ambassadors and diplomatic representatives laid on the Table of the House today, Wednesday, 10th September, 2014, and, in accordance with the provisions

of Article 132(2) (e) of the Constitution approves the appointment of the following persons to the respective offices-

- | | | |
|--------------------------------|---|-----------------------------|
| 1. Amb. Prof. Sam Onger | - | UN Habitat; |
| 2. Amb. Chirau Ali Mwakwere | - | Dar-es-Salaam, Tanzania; |
| 3. Hon. Robinson Githae | - | Washington DC, SA; |
| 4. Hon. Kiema Kilonzo | - | Ankara, Turkey; |
| 5. Mr. Richard Opembe | - | Dublin, Ireland; |
| 6. Hon. Mohammad Mohamed | - | Riyadh, Saudi Arabia; |
| 7. Ms. Lucy Chelimo | - | Ottawa, Canada; |
| 8. Dr. George Masafu | - | Kinshasa, DRC; |
| 9. Prof. Julius Bitok | - | Khartoum, Sudan; |
| 10. Mr. Joseph Magut | - | Berlin, Germany; |
| 11. Mr. Isaac Njenga | - | Windhoek, Namibia; |
| 12. Hon. Sheikh Dor | - | Muscat, Oman; |
| 13. Ms. Sophie Kadzo Kombe | - | Lusaka, Zambia; |
| 14. Maj-Gen (Rtd) Jeoff Otieno | - | Cairo, Egypt; |
| 15. Dr. Stephen Ndung'u Karau | - | Geneva, Switzerland; |
| 16. Ms. Rukia Subow | - | Tehran, Iran; |
| 17. Amb. Mohamed Gello | - | Seoul, Korea; |
| 18. Amb. Jean Kamau | - | Bangkok, Thailand; |
| 19. Amb. Josephat Maikara | - | Luanda, Angola; |
| 20. Amb. Lazarus Ombayi, Amayo | - | London, United Kingdom; |
| 21. Amb. John Lanyasunya | - | Algiers, Algeria; |
| 22. Amb. Solomon Karanja Maina | - | Tokyo, Japan; |
| 23. Amb. Ali Abbas | - | Kuwait City, Kuwait; |
| 24. Mr. Richard Lemoshira | - | Harare, Zimbabwe; |
| 25. Prof. George Godia | - | UNESCO. |

Hon. Speaker, I beg to move.

I would like, first of all, to take this opportunity to thank the Chair and Committee Members for a very commendable job. I am sure you will agree with me that this is the largest number of nominees to be vetted by a single committee since this Parliament started.

I would like also to take this opportunity to praise our Constitution, which really embodies the power of the people to participate in decision-making, and give us power, so that we agree to appointments.

Hon. Wakhungu: On a point of order, hon. Speaker. Hon. Shill is a three-term Member of Parliament. He has already moved the Motion and he is still--- Is he in order to mislead us on the procedure of this House instead of asking somebody to second him? He has already moved the Motion!

Hon. Speaker: Has he moved? Did he finish moving?

Hon. Wakhungu: Yes! He has moved!

Hon. Shill: Hon. Speaker, I said "I move", and I will ask somebody else to second the Motion.

Hon. Speaker: Who is that you are asking to second?

Hon. Shill: I would like to ask hon. Midiwo to second.

Hon. Speaker: Hon. Midiwo, there you are.

Hon. Midiwo: Thank you, hon. Speaker. I rise to second the Report of our Committee. I will talk very briefly because I know---

(Loud consultation)

Hon. Speaker: Hon. Members, somebody is saying that hon. Shill has been here long enough. He stayed away for some time.

(Laughter)

Therefore, if you say that you have moved and asked hon. Midiwo to second, you cannot purport to claim any other right. It is gone! That is the way it is.

Proceed, hon. Midiwo.

Hon. Midiwo: Thank you, hon. Speaker. I understand the situation hon. Shill is in. I will speak for him as he is my brother and also my chair.

I rise to second the Motion moved by hon. Shill, even though he did not have enough time to talk. We had over one week to look at these nominees.

The nominees are many and the Committee followed the Public Appointments (Parliamentary Approval) Act and the Constitution to arrive at the report that is before this House. From the outset, I need to point out something. The Act we used is one which is quite misunderstood by hon. Members and members of the general public. This is because we found out, as a committee, that it is generally deficient. A lot of questions Kenyans asked were like the vetting criteria and other things which are not in law.

These candidates, in my view, are people of various backgrounds. It is also good to note that under this system we are not the appointing authority. The appointing authority is the Executive; we are just a vetting authority. In the absence of a good law, which this House must make, anybody will pass our test unless they have a criminal record. That is something this House needs to be alive to, and check and decide what the criteria should be and what qualifications public officers whom we want to vet should have and how we will vet them so as to satisfy the set legal requirements.

I thank the Committee through our chair, I will not be wrong to say that we have said we will be looking at the law. But let me say that this is the first group of diplomatic nominees we have vetted in Parliament. I think this is a good start and we just need to improve on it. There are many things we looked at. You may say a nominee does not have a degree. We looked at every law and there was nothing on degrees. Therefore, you cannot disqualify nominees because they have basic education. We went that direction and talked for hours and hours.

However, there are some nominees who obviously qualified. Therefore, it is a balanced list, in my view. There were issues which were raised; an example is the issue about the youth and gender. We want the Executive to understand that the majority of Kenyans are youth and women. When you are making appointments, especially of diplomats, you cannot say that there is a proper balance because they will work in the

embassies. Some of them are just tea girls. We want people to be nominated as per law, so that, as a country, we appear to be obeying the laws of the land.

Hon. Speaker, the other issue Kenyans have been talking about is age. Having spoken about the youth, I now turn to the aged. Questions were asked whether a nominee like hon. Ongeru is still within the accepted age.

Hon. Speaker, I know hon. Ongeru personally. He is like my father. His children are my friends. There is no law that you could use to stop hon. Ongeru from becoming a representative. We wrote to the EACC about many of these people and we got a letter that said: "There is nothing that can stop all these nominees from taking their positions. Even the ones who are under investigation, came and we cleared them.

With regard to hon. Makwero and hon. Ongeru, who are our former colleagues here, if I was the appointing authority I would have appointed younger people because there are many young unemployed Kenyans. This is not up to me; it is the digital Government of Jubilee, which is youth-driven and everything is about youth. Therefore, if they choose to go against their own rules, it is not for me to say otherwise.

Hon. Speaker, I only wish that my colleague, hon. A.B. Duale, was here. The nomination of hon. Makwero and hon. Ongeru by the Jubilee Government is hypocritical because they have been saying that some people are too old and they should quit politics. They said hon. Raila and hon. Kalonzo Musyoka are old. Now they have given us a 76-year old and 70-year old and we have no problem. We are saying that there is something good in the youth and the old. All of us together make Kenya. In view of this I do not want to hear people at funerals telling me who should retire from politics.

It is not for presidents only; it is for anything. We want all Kenyans to be equal and not to be discriminated against on age. I was in politics in 2002. We made Kibaki the President when he was 72 years old and nobody complained. He was competent! So, let us not talk about trivial issues. I know that this list has some people who we would wish to say that there are better qualified Kenyans than them. However, it is a good start. We will work at a law that gives qualifications as per the wishes of Parliament. So far, I personally feel that other than the deficiency in law, it is a good start and it can get us somewhere. If we all follow the law, everybody will be satisfied. I know Maj.-Gen. Otieno personally. He is a qualified Kenyan. I know Nkaiserry would like to say it is because he is Luo, but it is okay because even Luos are Kenyans. I know *Waziri* Githae as a competent Kenyan.

Hon. Speaker, we had a Minister whose name I cannot mention here who was very arrogant to Members of Parliament until Githae went to Treasury. I have nothing against him and I know he will help clean the image of Kenya in Washington. I know he is a sober guy.

(Hon. Ng'ongo consulted loudly)

I have not asked you for the name! Hon. Speaker, protect me from this young man. I know he will help us clean our image as we move into this new economic diplomacy.

With those many remarks, I beg to second.

Hon. Speaker: Hon. Members, I am informed that I need to propose the Question before hearing some other proposal with regard to time from some other Member who has given that indication. However, I think it is also fair for this country to be reminded that the law hon. Midiwo has talked about; that is, the Public Appointments (Parliamentary Approval) Act was the initiative of a Private Member, hon. Danson Mungatana. I think the whole country owes him gratitude because he gave us that one. He came up with that Bill. I know that hon. Midiwo and I, and several other Members had occasion to thrash out some of the contentious issues which were there. I think the House should agree with hon. Midiwo that there is room to improve that law. We have it and so we can improve. Of course, again, that is within your hearts. Article 122 of the Constitution is very clear. I do not have a role save to approve, if you propose.

(Question proposed)

Hon. Speaker: Hon. Gichigi, what is your Motion?

Hon. Gichigi: Hon. Speaker, I rise under Standing Order No.97. I, therefore, beg to move that the time for debating this Motion be limited to five minutes for every Member contributing.

(Loud consultations)

Hon. Speaker: Hon. Members, unless somebody else wishes to move an amendment to what the Mover has moved, what you say when you are seated out there is just there. So, for convenience of the House, I will put the Question.

(Question put and agreed to)

So, the debate will be limited to five minutes for each Member contributing. Hon. Asman Kamama!

Hon. Abongotum: Thank you very much, hon. Speaker. I really would have wished to speak in the previous Motion, but that has been overtaken by events now.

I wish to support the nomination of those very capable Kenyans to their respective diplomatic stations. I have had an opportunity during my tour of service in Government to work with so many of those nominees. I have worked very closely with hon. Sam Ongeri when I was in the Ministry of Higher Education, hon. Chirau Mwakwere, hon. Robinson Githae, hon. Kiema Kilonzo, Joseph Magut, hon. Sheikh Dor, Rukia Subow, Prof. George Godia, and Mr. Maikara who was my colleague in the Public Service. We worked together in Central Province as District Officers. He is a brilliant officer. All of them fit the bill. I would like to ask this House to approve the nomination of all of them. Of course, we have one of them with very low credentials, but because Article 2(7) of our Constitution says that no Kenyan should be discriminated against on whatever basis, I wish to support. Quite a number of them have the requisite qualifications, abilities and competencies to deliver on their mandates.

Hon. Speaker, as we get new ambassadors to those new stations, they must know that they must deliver to Kenyans especially on the subject of international trade. They must ensure that balance of trade is always in favour of this country.

Hon. Speaker, we have several missions that are not too busy. But I know that we have countries within East Africa, Asia, European Union (EU) and even America. We want to see trade between our country and those other countries getting better.

Hon. Speaker, somebody talked about the issue of age. When you talk about age, of course, the Constitution protects the old and the young. I want to say that those of you who have not worked with hon. Ongeru, that *mzee* is a very effective professor. I have worked with him. We had a programme in UNESCO where I participated with him together with Professor George Godia. Let me tell you that the old man is really competent. So, let us not look at age. In any case, he actually operates from Nairobi here. He can only go for a few trips to represent this country.

Hon. Speaker, I want to say that the former Minister for Finance, *Bwana* Njeru Githae is cool and was a very competent Minister. I think if we give him this job, he will do a wonderful job in Washington.

Ambassador Lazarus Amayo, as you all know, has been in this business for quite a while and we have total confidence that he will deliver on his mandate.

Hon. Speaker, my good friend hon. Midiwo talked about age; that people should not talk about age in funerals. We are only talking about age in the context of somebody who wants to be President in future. That is one of our questions in this proposed referendum. Of course, we all know that most of us are opposed to it because of the taxation. Let me warn Kenyans that if you approve that thing that you want a lot of money, you must be taxed. So, taxation is an issue that must also be addressed as you talk about that. But that is our issue in the proposed referendum but we will meet there when the time comes.

So, generally hon. Speaker, I want to say that I support and let us approve all those names. Thank you.

Hon. Speaker: Hon. Wamalwa, who is holding brief for the leadership of the Minority Party. Therefore, he has ten minutes. He has assumed that mantle.

Hon. Ochieng: Why and how?

Hon. Speaker: Hon. David Ochieng, you cannot question. This is the leadership. That is the way it is.

Hon. Wakhungu: Thank you, hon. Speaker for giving me this opportunity and because I am representing the leadership of this House, I am going to be given my ten minutes.

Hon. Speaker, I rise to support but we have some issues with some candidates which I am going to highlight. It is very historical. It is the first time that this House is vetting ambassadors. I sat through the Committee meetings and I asked questions. I was very observant and one thing I realised is that we had very good candidates and we also had candidates who were average.

Hon. Speaker, when you look at the Public Appointments (Parliamentary Approval) Act reading from Section 7, it is very clear. It says, and I want to read for those who do not have it. It says that the issues for consideration when it comes to vetting is that you are going to look at the suitability of the nominee for the appointment

proposed, having regard to whether the nominee has abilities, experience and the qualities.

Hon. Speaker, in terms of criteria, much as the academic qualifications is not highlighted here, but it contributes heavily when it comes to suitability and ability.

Hon. Speaker, I will start with Professor Ongeru. Professor Ongeru, much as he is advanced in age, when we vetted him, indeed, he demonstrated confidence. This is a Professor who can deliver. An ambassador is somebody who is going to market this country. It is somebody who is going to represent the President and we cannot allow mediocres or people who are below average to represent this country. So, for Professor Ongeru, I give him an "A". He did very well despite the age factor and I have no doubt that he is going to deliver.

Ambassador Chirau Mwakwere equally did very well. We posed questions and he answered them very well. The same was with hon. Robinson Githae and hon. Kiema Kilonzo. What shocked me is that the politicians who had been appointed ambassadors did very good research. For instance, Kiema Kilonzo came up with the issue of Turkey tea where we are having issues of duties with our tea and he articulated very well.

Hon. Speaker, when we went for report-writing as a member of the Committee, we started by selecting the ambassadors who do not have issues. We put them aside and we also put those who have issues aside. Those who had issues are the ones I am going to mention because, when you look at some of them--- Even during the interviews, others came claiming that they had First Class honours in a diploma course - something which is unheard of.

(Laughter)

Hon. Members: Shame! Shame!

Hon. Wakhungu: Hon. Speaker, for now, in our foreign policy, we are focusing on economic diplomacy. When you talk about economic diplomacy, you are looking at the issues of trade. We asked some nominees issues about the trade balance and they did not even know what trade balance is and those are the people who are going to represent His Excellency the President in foreign countries.

Hon. Speaker, we are passing this list with a lot of reservations because some could not measure to the threshold and my colleagues who are from the Committee will agree with me. Others said we are embarrassing the President. It is not an issue of embarrassing the President. It is helping him so that he is not embarrassed. We have to ensure that it is only the right people who will represent him in those foreign countries.

Hon. Speaker, we had also cases where somebody could not speak English but you are told that in the country the person is going, they do not speak English. They speak Arabic which he speaks. However, in this case, we have bilateral agreements. Maybe, they are drafted in English and not in Arabic and in this case, it is, indeed, important that when we debate this, it is not an issue of tribe, academic credentials or coalitions. It is an issue of Kenya as a country.

Hon. Speaker, when we separated them, there was a lot of lobbying but I come here half-heartedly---

Hon. Speaker: What is your point of order? There is a point of order from hon. Joel Onyancha.

Hon. Keynan: On a point of order, hon. Speaker.

Hon. Speaker: What is wrong with you? Hon. Joel Onyancha has pressed that he has a point of order and I have given him a chance. You cannot also claim now that you are on a point of order. When I gave him a chance, he pressed the wrong one. That is why you disappeared from the screen.

(Hon. Members stood up in their places)

Hon. Speaker: No! No! He is the one I have recognised. All the rest of you must remain in your places.

Hon. Onyancha: Hon. Speaker, with due respect to my colleague, is he in order to suggest that this Committee - of which I am a member - vetted somebody who could not speak English and yet the Committee was live on air and everybody was seeing people speaking in English? Is he in order?

Hon. Keynan: On a point of order, hon. Speaker.

Hon. Speaker: Hon. Keynan, I thought you said you are serving your third term or something.

Hon. Wakhungu: Hon. Speaker, if I am pushed, I will name the nominees because it was on television. Everybody was watching and when you say you speak English, this means fluent English that people can understand and you can communicate. You can be speaking fluent English or broken English but if you push me, I can name them.

Hon. Speaker, as we move to economic diplomacy---

Hon. Members: Name them!

Hon. Speaker: Hon. Members, including hon. Lomenen, you are not the one to give directions. You can shout as much as you want from where you are seated saying "name them!" Until I tell him to name them, all what you are saying is in vain. You are just entertaining yourselves.

Hon. Wamalwa, proceed in the way you are---

Hon. Wakhungu: Thank you, hon. Speaker. As we vetted, we went round---

Hon. (Maj-Gen.) Nkaissery: On a point of order, hon. Speaker.

Hon. Speaker: Hon. Nkaissery, the hon. Member is just responding to the point of order.

Hon. (Maj-Gen.) Nkaissery: No, he has finished!

Hon. Wakhungu: I have not finished, hon. Speaker. As I continue, when it comes to economic diplomacy, issues of taxation and labour laws are very critical. It is important that the nominee that we get should be able to understand and internalize issues of taxation and labour laws because those are very critical as far as bilateral agreements or treaties are concerned.

Hon. Speaker, there was the issue of academic qualifications. We had candidates who---

Hon. (Maj-Gen.) Nkaissery: On a point of order, hon. Speaker. Is the hon. Member in order to cast aspersions on the Committee which he sat through? If you look

at page 68 of the Report, you will find that he signed it. He never expressed a dissenting view in the Committee.

It is immoral for an hon. Member to come to this august House and cast aspersions on the Committee in which he is a member. It is also immoral for a Member to try and get publicity from the public and yet, he did not express his views. Is he in order to say that on the Floor of the House?

(Applause)

Hon. Speaker: Hon. Wamalwa, before you respond, could you respond to the issue of casting aspersions as to the competence of your colleagues in the Committee?

Hon. Wakhungu: Hon. Speaker, I want to respond if you allow me.

If you go to the list where we have signed as Members - and I raised this issue when we were in the vetting - you can see the headline says:-

“The Departmental Committee on Defence and Foreign Relations attendance of the meeting held on this day at 3.00 p.m. afternoon.”

We signed. Afterwards, you can see some handwritten insert which was done and we did not have any adoption list. It has been written: “Adoption of the Report on Vetting of the Director-General and Ambassadors.”

Hon. Members: On a point of order, hon. Speaker.

Hon. Wakhungu: You can see it is handwritten, hon. Speaker. I dissented on this matter. I raised my dissent but it is wrong to come and say the Report was unanimous. The Report was not unanimous.

Hon. Shill: Hon. Speaker, we need your guidance. I sit in this Committee and in the Public Investments Committee. This is the fourth time hon. Wamalwa is making those remarks. He always sits in Committees, he signs and talks differently on the Floor of the House.

Hon. Wakhungu: No! No!

Hon. Shill: Hon. Speaker, you can ask members of PIC and the Members who are here. This hon. Member has really become very notorious and we must be guided.

Hon. Speaker: Hon. Wamalwa, could you be one of those who suffer from fatigue after a few minutes and disappear so that, maybe, certain decisions are taken after you have left after you sign? That is also the other issue to address.

Hon. Wakhungu: Hon. Speaker, with due respect, I dissented. If you look at the list that was signed, you can actually see that it is handwritten. This is after we had signed. So, this is fraudulent. I dissented.

Hon. Keynan: Hon. Speaker, with a lot of humility and respect to my good friend and my Deputy Chief Whip, this is a House of respected leaders. Those are leaders who can stand by whatever they say anywhere, whether it is dark or daytime or at any given time. I can confirm as a Member of that Committee that hon. Wamalwa did not show an iota of dissention all through. I feel pained as an individual.

First of all, there are two things here. You gave hon. Wamalwa a chance to speak and I thought he should have been given an opportunity to speak as a Member of the Committee instead of being given an opportunity to speak on behalf of the leadership of CORD---

Hon. Speaker: CORD is the one that gave him a chance.

Hon. Keynan: Hon. Speaker, I agree with hon. Shill when he said that---

(Hon. Wakhungu stood up in his place)

Hon. Members: Sit down!

Hon. Speaker: Hon. Wamalwa, when one Member is on a point of order, you resume your seat.

(Hon. Wakhungu resumed his seat)

Hon. Keynan: Hon. Speaker, I want to be guided by the provisions of Standing Order No.107. This is a House of rules, traditions and decorum. Therefore, I really want to plead with the Chair to rule hon. Wamalwa, who is my good friend, grossly out of order. You should go further and name him!

(Applause)

Hon. Speaker, Standing Order No.107 (1) says:-

“(1) a conduct is grossly disorder if the Member concerned-

(a) creates actual disorder;

(b) Knowingly raises a false point of order;

(c) uses or threatens violence against a Member or other person;

(d) persists in making serious allegations without, in the Speaker’s opinion, adequate substantiation;

(e) otherwise abuses his or her privileges.”

As an individual, hon. Wamalwa had every right at that particular time when the Committee was in session to say that he did not agree with the approval of so and so. We sat a whole week and went for a retreat to write a Report. To come, abuse the integrity and the intelligence of Members of that Committee and cast aspersions on them on the Floor is something that hon. Wamalwa should not be allowed to proceed with.

Secondly, where is the evidence? This is a House of traditions. Where is the evidence that hon. Wamalwa did not agree with the findings of the Committee?

Thirdly, this is not a House of propaganda but a House of rules. In the absence of those three, I seek your guidance that hon. Wamalwa be ruled out of order, is named and this issue is referred to the Powers and Privileges Committee. This is for persistently and consistently misleading this House and members of the Kenyan public. He is abusing his privileged position to cast aspersions on high qualified Kenyans in the name of the individuals.

Hon. Speaker, the vetting was public---

Hon. Speaker: Very well! Just before you resume, hon. Wamalwa, I want to confirm that the Report that is with me here does not have the minutes and, therefore, I am put in great disadvantage. Before we proceed in terms of Standing Order No.107 regarding making persistent claims without substantiation, that he dissented and, two, the Report was not adopted---

Yes, hon. Wamalwa.

(Hon. Nyasuna interjected)

Hon. Wanga, from where you are sitting, you appear to exhibit so much anger.

Hon. Wakhungu: Thank you, hon. Speaker. I have the capacity to give the evidence which is here in the minutes. I want to draw your attention to page three. It reads:-

“Having failed to convince the Member with a dissenting opinion to approve the nominee, Members agreed that the word “unanimous” should be deleted from the Committee’s recommendations in the Report.”

This is here with me, hon. Speaker. Indeed, I dissented. This is on page three. I have a right to do that. My Chair talked to me today and I told him that I am going to dissent.

Hon. Members: Where is it?

Hon. Wakhungu: I dissented. It is here on page three.

Hon. Speaker: Hon. Members, let the Member explain himself.

Hon. Wakhungu: Hon. Speaker, I will read it out again. Page three says:-

“Having failed to convince the Member with a dissenting opinion to approve the nominee, Members agreed that the word “unanimous” should be deleted from the Committee’s recommendations in the Report.”

(Loud consultations)

It is here. I dissented. I am not going to be intimidated. They must have changed the Report. Hon. Speaker, I am not going to be intimidated, I dissented and we are not here to rubber stamp. The issue is: We must get people who have the confidence and can represent this country. I had dissented, hon. Speaker. I will name the particular people that I dissented on.

(Loud consultations)

Hon. Speaker: Hon. Members, even the Leader of Majority Party; you may not be able to respond to this. Let me confirm one thing hon. Members; the document that hon. Wakhungu is referring to has been passed on to me.

(Loud consultations)

Listen hon. Members, there is a portion that is handwritten “09/09”, then “2014”. Attendance for the meeting held on that date of 2014. Then in handwritten, “Adoption of the Report on Vetting of the Director General and Ambassadors.” This is one ambassador who was being vetted. Then it says “3.30 p.m. afternoon.” So, I am also in great doubt as to which ambassador now. Unless there is a problem with the clerks who were clerking this Committee! Hon. Wakhungu, just resume your seat. The point which hon. Wakhungu is raising, perhaps, has merit and he needs to be given a chance to say what he

has to say. Hon. Chair of the Committee, you either decide whether you are the one to respond to this, or your Vice Chair who has moved the Report. But let us allow hon. Wakhungu to make his point because, as I told you, the earlier Report which I have---

(Loud consultations)

Just listen! You cannot raise points of order when I am still speaking. The Report which I approved for tabling this morning - and there were two - one was on the Vetting of Major-General Philip Wachira Kameru, nominee for the appointment of Director-General of the National Intelligence Service. It is here. It is on this Report, that particular page which the hon. Wakhungu is referring to. It is for the Chair of the Committee to respond.

The other Report which I approved also reads, "The Departmental Committee on Defence and Foreign Relations Report on the Vetting of Persons Nominated for Appointment as Ambassadors, High Commissioners and Permanent Representatives to various missions. This particular one does not contain any minutes. So, it is fair that if I have to make a determination on the issues raised by hon. Wakhungu, then the Chair of the Committee addresses me and the House on those inconsistencies so that those of you who are either in support or opposed will make informed decisions. Hon. Wakhungu, you have made a case that you did not sign or what you are shown to have signed for is the stipend, perhaps, in the morning because the other one says "3.30 p.m." So, you signed for the stipend in the morning. You can either explain that before we give the Chair of the Committee a chance to respond. It is fair that this point be understood.

Hon. Wakhungu: Thank you, hon. Speaker. As you have clearly indicated, when we were finalizing this, there was a lot of convincing each other that we present a unanimous Report. But some of us stood our ground and we said no. That is because of the respective candidates that we had issues with. As we signed this, as you clearly put it, it was about attendance. Then, later on, they were to provide a list for us to sign for adoption. When I came this morning, I was expecting my Chair to give me this to sign. I indicated to him that still I am going to dissent. I also told hon. Keynan when he came here that I am going to dissent and I stand by that. Even those people who were there, I disagreed with them on issues of respective candidates. But if need be, and if my Speaker rules, I will name them. That is, the ones that made me not to get convinced on that Report.

Hon. Members: Name them!

Hon. Wakhungu: I have a right and so, if you push me too much, I will name them. You do not pick just anybody to be an ambassador. This is somebody who must be able to understand the issues of the two countries - the bilateral agreements; somebody who can represent the country. But not somebody who can go out there to embarrass us! As a representative of the President, they must have the qualifications that are required. We encourage our children to go to school and people to study in this country. We want people to be appointed as ambassadors, people who have minimum academic credentials that will add value as far as the relationship of Kenya and other countries are concerned.

Hon. Speaker: Hon. Wakhungu, I think you have made your case. Order, hon. Members! I want the Chair of the Committee to address those issues. There is this

Report with minutes and it also has that page. It says, “Minutes of the 83rd Sitting of the Departmental Committee on Defence and Foreign Relations held on Tuesday 9th September 2014 at Safari Park Hotel Nairobi at 3.45 p.m.” It shows those who were present, the Chairperson and all of you with the exception of those who were absent with apology; hon. Adan Keynan, hon. John Nakara and hon. Wafula Wamunyinyi. Those were absent with apology. Those minutes had confirmation of the minutes of the various sittings of the Committee and were confirmed upon proposal by various Members as shown there. I want to confirm that hon. Wakhungu was present at 3.45. Minute No. 282/2014; “Adoption of the Report of the Vetting of the Nominee for the Director-General of the National Intelligence Service.” This is what it reads:-

“Members considered and adopted the Report on the vetting of the nominee for the position of Director-General of the National Intelligence Service.” Minute No.283/2014; “Adoption of the Report on the Vetting of the Nominees for the Position of Ambassadors, High Commissioners and Permanent Representatives.” This is how it reads:-

“Members considered and adopted the Report on the Vetting of the Nominees for the Position of Ambassadors, High Commissioners and Permanent Representatives to various missions.”

Minute 284/2014 is on Adjournment. It reads:-

“There being no other business, the Chairperson adjourned the meeting at 4.30 p.m. It is then signed by the Chair.

Annexed to this report, on the first page, is that page on attendance, which reads:-

“In attendance for the meeting held on 9th September, 2014, 3.30 p.m.”

This is all handwritten:-

“Afternoon - Adoption of the Report on the Vetting of the Director-General and Ambassadors.” This reads correctly “ambassadors”. I think there are too many handwritten things. The Chairperson of the Committee, this is part of your Report. Of course, there is the other one which I have already indicated. This was on the Director-General. It also has this handwritten document. But this one, even though it is a photocopy, reads “09/09/2014 at 3.30 p.m., afternoon”. Either there is a problem with the secretariat, in which case then, the Clerk should be directed to make sure that whoever is the clerk in charge there, should never go anywhere near a committee. That is because we cannot have incompetent people! What is this? Hon. Wamalwa has a point.

Hon. Members: They should apologise!

Hon. Speaker: Hon. Members, you cannot tell me what to do. You cannot, surely! I am making the point that hon. Wamalwa has a right to raise the many issues that he has raised. The Chair of the Committee, you can explain those discrepancies quickly, so that we can resume debate.

Hon. Gethenji: Thank you, hon. Speaker for giving me the chance to clear the air. First, I find it shameful and amazing that a Member of this august House can come here and mislead this House and lie to the Members and the public at large. I agree totally with the sentiments of hon. Keynan. The reference that hon. Wamalwa has made to the dissension was a dissension by hon. Ibrahim Sane on the appointment of the Director-General of NIS. It was not hon. Chris Wamalwa.

Two, all our proceedings were on the HANSARD.

(Hon. Elmi stood on the gangway)

Hon. Speaker: Hon. Elmi, you go kneeling! You cannot impede my sight. I must keep reminding even the elderly that those are the Standing Orders! Proceed!

Hon. Gethenji: Hon. Speaker, two, even that dissension was corrected in subsequent minutes, Minutes of Meeting No.81, in which hon. Ibrahim Sane withdrew his dissension and allowed us to pass the report unanimously. So, the claim by hon. Wamalwa that he is the dissenting voice in that Committee is false and he must be named for misleading the House. Thirdly, Meeting No.81 which was held at 3.30 p.m. had only two agenda, namely, adoption of the Report of the Director-General of NIS and adoption of the Report of the Ambassadors. There were only two items on the agenda. So, on the approval of those agenda and adoption of those reports, the Members were then requested to sign the attendance as a mark of adoption of the report and hon. Chris Wamalwa did not, and I repeat, did not dissent at that point in time. So, for him to come to the Floor of this House and use the television and the public gallery to cast aspersions on the process, the record and the Members of our Committee and this House is completely and grossly out of order. I would request that we refer to the HANSARD record which exists and the appropriate action be taken against that hon. Member for bringing this honourable House into disrepute.

Hon. Nyamweya: On a point of information, hon. Speaker.

Hon. Speaker: Hon. Members, we are not going to deal with that. Hon. Nyamweya, you cannot deal with that. Hon. Members, when you are dealing with records and you see them in front of me, you have to be very careful what you say. You see, hon. Keynan, you were not even present. So, you are shown as having not signed. The issue about naming hon. Wamalwa when there is this confusion on the records will be grossly unfair to him.

Hon. Nyamweya: On a point of information, hon. Speaker.

Hon. Speaker: You cannot inform me. You have no capacity, hon. Nyamweya. At your age, you want to inform me? Surely? Do not inform me on this. The point is that the records have not been kept well. On the basis of those records, it will be grossly unfair on the Chair to name hon. Wamalwa or even to rule him out of order. Those records are not well kept. Even listening to the explanation by the Chair of the Committee, the meeting happened at 3.30 p.m. Then why was there another meeting held at 3.45 p.m.? It means that---

(Loud consultations)

Hon. Members, you must listen! I told you that when we are dealing with records and you see them in front of me--- Let me just read to you the minutes of that meeting and this is typed. Hon. Members, I know what I am saying is right. On the copy of this report that I am holding, the first page is the one with the handwritten purported attendance list and signatures. Do you recall a situation in which you do your reports this way?

Hon. Members: No! No!

Hon. Speaker: Yes, it is for that reason that I am saying that those records are very poorly kept. Hon. Members, you cannot require me to name hon. Chris Wamalwa or even to declare him out of order when the records which you are asking me to rely on are so, themselves, unreliable. This is the first page and it is in this document where, indeed, the Chairman has signed somewhere here after Minute No.284. Then, thereafter, there are documents and the next one is Appendix 2 – correspondences. This is a very poor way of keeping records. This is the same one that says: Minute No.282---

(Loud consultations)

Hon. Wamalwa, you are not settling scores with anybody. This goes to the competence of the clerkship. You cannot have typed proceedings, Minute No.282, “Adoption of the Report on the Vetting of the Nominee for the Director-General of the NIS: adopted.” The next minute, which is typed is “Minute 283 - Adoption of the Report on the Vetting of the Nominees for the Positions of Ambassadors, High Commissioners and Permanent Representatives.” The Members considered and adopted the Report. Minute 284 – adjournment. Then, it is signed by the Chair.

Hon. Wanga, you must be very new in those things! You are a Chair of a Committee and you have to sign. You know those are basic things. It is not right or wrong barely because it is done by one person and wrong because it is done by another. What is good for the goose must be good for the gander. A Chair has a responsibility to sign the Report. You have to sign. But the issue I am raising is this - and this is the point which hon. Wamalwa is raising. This is the first page on the same document, which is having issues. How can I really fault him for what he is saying on the basis of this kind of poor record keeping? So, the best way is to allow hon. Chris Wamalwa to finish his contribution and state what he is saying in his capacity as the Acting Leader of the Minority Party. Yes, that is the vindication he was given. So, proceed hon. Wamalwa.

Hon. Wakhungu: Thank you, hon. Speaker, for your objective ruling and, indeed, I will not be intimidated by anyone because I have the brains to defend myself here. It is the highest time our Chair pulled up his socks because this is an embarrassment to the Committee and, in any case, it is not me to be named! The Chair should be the one to be named over this matter. That is because of showing incompetence on the Floor of the House.

Hon. Speaker, this is, indeed, an important moment and we must support those people who have been appointed to become ambassadors. One thing I want to say is that - and it is my humble request - before they are sent out of missions, they should be taken for training, which is very important. I know we have a school of diplomacy. We should not allow some of them to go out there and become an embarrassment not only to the President of this country, but to the people of Kenya. But there are some important ambassadors here who responded to our questions very well. A young lady, for instance, Lucy Chelimo who is going to Canada, did extremely well and we were very impressed. I also want to congratulate His Excellency the President for appointing a young lady like her to go and represent us in Canada. But in those areas where we had issues, it is my humble request that those people should be informed to pull up their socks and be taken for training before they go out there. That is to avoid embarrassment to this country.

Thank you, hon. Speaker, I support.

(Hon. Mwinyi consulted his colleague)

Hon. Speaker: Hon. Mwinyi, you know the stage at which we are? Are you seconding hon. Wamalwa?

Hon. Wakhungu: Hon. Speaker, I had mentioned that those people should be taken for training before they go out, especially the new ones. I am saying this because when we did an average, we had those who showed incompetence. So, it will be nice if they can be taken for some training before they go out there to avoid embarrassment to His Excellency the President and us.

Hon. Speaker, I support.

Hon. Speaker: You second? Sorry, hon. Wamalwa I am told that you were actually contributing. Very well! Hon. Sakuda Moses.

Hon. ole Sakuda: Thank you very much, hon. Speaker. I rise to support this Motion and let me say from the outset that I take this opportunity to commend the Committee. As far as I am concerned and after reading the Report, the Committee did a commendable job by looking at the various resumes and CVs. It is good for us to actually commend them for the good work that they did. I also want to take this opportunity to commend the President for carefully looking at various individuals from every corner of this country and presenting to this House, qualified men and women who are ready to take up the mantle of serving this country.

In my short time in the Government, I had an opportunity to interact with a number of those individuals. Ambassador (Prof.) Sam Ongeru was my boss when I was the Assistant Minister for Foreign Affairs. I know that even with his age, he is a very agile and smart person who can perform his tasks equally well. Hon. Robinson Githae is the right choice for this country to go to Washington DC. Having served as a Minister for Finance, he understands the importance of economic diplomacy, in the effort of trying to reignite the connection of Kenya and the western powers because lately, we have been accused of going East. Therefore, with his staff and various skills, I am sure Kenya will stand to benefit with the connections in Washington DC.

In my short time, I had an opportunity to interact with Amb. Lazarus Amayo who was the Head of the European Division, Amb. John Lanyasunya, Amb. Solomon Karanja Maina, who has ably and tirelessly worked in the last one year as the Head of Protocol, Amb. Richard Lemoshira and Prof. Godia. I had an opportunity to interact with them. Those are men and women of quality, who can represent this country. I am sure when we give them a chance as this House; they will serve this country very well.

Hon. Speaker, I stand to support. Thank you very much.

Hon. Speaker: Hon. Ms. Lay.

Hon. (Ms.) Lay: Thank you, hon. Speaker, for giving me the opportunity. I sit in this committee and I had a chance to listen to all the nominees and that is why I rise to support. We had issues that were raised by all the Members. One of them was gender balance. We know that the Constitution speaks about one-third gender balance on every appointment and in this list, we had only four women. I know that the Supreme Court ruled and said that this can be handled progressively. But, I know it is difficult to achieve

this especially on elective posts, but when it comes to appointments, it is high time that we started practising this.

In this list, at least, we expected to see six women and it is high time that the women are given high positions also to serve. I remember that after we raised the issue, we were told that there is another list that is going to come. But then we said: "We do not want deputies or to be given those small posts." Even in this one, I expected to see more women. Since I cannot go through all the nominees, allow me to mention just a few.

To start with Prof. Ongeru, he showed very high experience. It is because he is someone who has served this country. I know the issue of age came up, but then in the Public Appointments Act, it states that a candidate above 60 years can only be appointed on temporary terms or by local agreement. His nomination is temporary because, it is for only three years.

I want to speak about the nominee, Ms. Lucy Chelimo who is going to Ottawa, Canada. She is 35 years old and I have to commend the President for giving young people a chance to represent us abroad.

Ms. Lucy Chelimo was very eloquent. She even made our work easy. I remember for less than an hour, she had answered all the questions. It means, therefore, she had done her research very well and she knew what is expected of her and she is ready for the task ahead. I did not have any problem with her.

Hon. Speaker, with regard to another nominee; hon. Sheikh Dor, I know that my colleagues had a problem with him. Hon. Sheikh Dor has accent but he speaks good English. We cannot discriminate someone on those grounds. If you read the Constitution, Article 27 speaks of equality and freedom from discrimination. Article 27 (4) states as follows:-

"The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth."

When hon. Sheikh Dor speaks his English, he has an accent and that does not mean he cannot express himself very well. For him to be taken to Muscat Oman, as a Sheikh, that is a plus for this country. That is because we have issues of radicalization of our youth. I see Sheikh Dor as someone who is going to help us bring an end to the radicalization of our youth, especially in whatever is preached in the Mosques. He stood firm to make sure that they train all the Sheikhs and Imams in the coast region.

We know that Oman is almost 100 per cent Muslim country and they have never had a problem with radicalization of their youth. I believe that he will be in the forefront in making sure that he conducts trainings and workshops---

Hon. Speaker: Hon. Members, the mistake is not with hon. Lay. They must give warning. You must signal by lighting the yellow button which will indicate that there is only one minute left.

Therefore, Clerk you should make sure that, that is observed. Give her one minute.

Hon. (Ms.) Lay: Thank you, hon. Speaker. I will wind up quickly and I will speak on the nominee, Ms. Rukia Subow.

I know that Ms. Rukia Subow has served this country especially in championing women rights. I believe she is the right candidate for this position.

Allow me to speak on Ms. Sophie Kadzo Kombe. She is a very good person. I know that she panicked the moment she came into the committee room. That cannot rule her out. She is very eloquent and very active with women and youth issues. She can express herself even on the platform. Therefore, I believe she is going to improve.

Thank you, I support.

Hon. ole Ntutu: Thank you, hon. Speaker, for giving me this opportunity to join my colleagues in, first of all, congratulating the President for nominating those Kenyans. I think this is the biggest number of ambassadors who have been nominated. I want to say that when you look at the Report of this Committee, they have done a very good job. I am not a member of this committee, but I had a chance to watch the vetting when they were interviewing the ambassadors to be. I must say that those are good Kenyans and we must give them the opportunity to serve this country.

When you look at most of them, they have already served in the Ministry of Foreign Affairs, except a few politicians who have been nominated as well. I must say that most of them are people who have been working with the Ministry of Foreign Affairs. Therefore, when you look at the list, this time round the President has done a wonderful job by making sure that this country is balanced regionally.

I am happy to hear from the other side of the political divide that this time round, they are not complaining about having not been taken care of, except that I have not got one from Narok. I bet the President will give us a chance next time. But because most of those nominees are good Kenyans, I want to say that I support their nomination. I want to tell my colleagues that this issue of hon. Members, particularly members of the Departmental Committee on Defence and Foreign Relations; their report must be supported--- If you sit in that Committee and you have not defended the Report, why do you come to this House again and sort of get some airtime to be covered by television?

We are not trying to look for votes. You are already a Member of Parliament and it is just a matter of being honest to yourself and to the people you represent in this august House.

Hon. Speaker, I have seen this happen. Even though I did not like the issue of some typing errors made by our clerks; I think this time around – I hope you are listening to me. The clerks must be very careful when bringing documents to this House. This is a House that we must respect. The only way we can respect it is when we bring our documents to this House, they must be documents that are error-proof.

Hon. Speaker, I also want to encourage other hon. Members of this Committee to respect this House because if we do not respect this House--- I have seen some hon. Members of Parliament and I am not afraid to say that they are fond of playing with the Speaker. I want the Speaker to take very serious steps on some of those hon. Members. Most of us have sat down here for years and we respect you as our Speaker. But you have given a lot of freedom to some of those hon. Members who are playing with us in this House.

An hon. Member: Yes!

(Applause)

Hon. ole Ntutu: There are hon. Members who are playing with us. I wish you could take serious measures against those hon. Members.

With those very few remarks, I support this Motion and I urge my colleagues to support this Motion on those wonderful Kenyans.

Thank you, hon. Speaker, for giving me the opportunity.

Hon. (Ms.) Ghati: Thank you very much, hon. Speaker. I am the County Member of Parliament for Migori. I wish to take this platform to say that what transpired in Migori is unfortunate. I want to ask county leaders from my county to seriously re-look at the root causes of some of the things happening in our county. It is not about anything, but about us leaders sitting down to seriously address the issues that affect our county. Our young people need jobs; they do not need to throw stones and shoes. It is for that reason that, on behalf of my county, I wish to take this opportunity to say that it was an unfortunate event.

Hon. Speaker, I am a member of the Departmental Committee on Defence and Foreign Relations. I rise to support this list. I support the nominees. I am one person who is on record as having mentioned that, for once, in this Government, we have seen young people being given an opportunity to represent this country. Although I had an issue with, especially, diplomatic experience of some of those nominees, I was nevertheless impressed. I want to single out Ms. Chelimo who has been proposed to go to Canada. That lady walked into the room and the confidence and knowledge she exuded threw me off. When she walked into the room, I thought, perhaps, she is a young lady from a background that is not very diplomatic. I was very much impressed. I was equally impressed by Mr. Magut who has been proposed to go to Berlin. Dr. Karau is going to Switzerland and it is on issues to do with health. He is going there at a time when this country really needs to address the issues of health and, more so, the issue of HIV/AIDS which is affecting this country. He has a lot of experience and he is going to create networks and linkages for the benefit of this country.

I also took special cognizance of Mrs. Rukia Subow. I looked at her experience and how she has risen through the ranks. It took me back to thinking that if a pastoralist woman, for the first time, can actually get a position to represent this country then there is hope for other communities like mine. I represent Migori County. I am from Kuria East Constituency. I raised an issue in our Committee that when we talk of regional balance, it is not enough to say that three or four positions have been given to Nyanza Province. Remember that Nyanza as a region has three distinct communities living there. We have the Luo Nyanza, the Kisii Nyanza and the Kuria Nyanza.

Hon. Members: Suba!

Hon. (Ms.) Ghati: And the Subas. I long for a time when this Government will bring an affirmative action concerning regions so that when we talk of Nyanza Province having received four slots, we need to take into cognizance the fact that there is a Kuria, Luo and Kisii.

I can attest to it here that Kuria East and Kuria West constituencies are very well represented in this Jubilee Government. The Member of Parliament for Kuria East belongs to KANU Party. The Member of Parliament of Kuria West is from URP. When it comes to appointments, why does this Government leave the Kuria Community? It is a very serious offence and a shame to this Government and my community. I talk with a lot

of anger because my community is annoyed. It is not enough to find a community where this Government finds a soft landing and when it comes to appointments, the Government does not consider the community. The community is up in arms. We need a serious intervention.

Those appointments did not look at persons with disability. Does it mean---

Hon. Speaker: Hon. Timothy Wanyonyi.

(Loud consultations)

Hon. Members, you must know why I am doing that. I do not understand when I hear murmurs of disapproval.

Proceed, hon. Wanyonyi.

Hon. Wetangula: Hon. Speaker, I am equally a Member of this House. So, when I am given a chance, there should be no murmurs.

I wish to support this Report. I will pick up from where my colleague has left. People with disability have been discriminated against in Government appointments. Appointment after appointment, we are missing the opportunity to serve this country. I represent two constituencies in this House. My first constituency is Westlands. They are the people who elected me. My second constituency is the voiceless who are the people with disability. I am very proud of that. When I see us missing on Government appointments, we feel that some of the provisions in the Constitution are not being applied properly and that we are being discriminated.

I would like to single out Amb. Mohammed Gello. I had an opportunity to interact with him when he was serving in India. He is one very honest public servant. I am sure that he will add a lot of value to this country in his new assignment. This Government trains diplomats not only for our country, but also for other countries. However, when it comes to appointments, our leaders appoint their political cronies and sidekicks and leave competence and merit out of this. We need to observe that as we appoint people to go abroad and represent this country, we should appoint people who can represent us properly. They should be people who can articulate issues affecting this country, and not just joy riders. Some of those ambassadors have been appointed because they have been done a favour. They go there and they just do their own things. They do not represent the interest of this country and, as a nation, we lose on that.

We are spending a lot of money to support our foreign embassies. We would like those officers to add value and make sure that our country is benefitting from their presence in those countries. We need to look at the level of competence of the people who are being appointed.

I support the appointment of some of those people. Prof. Sam Ongeri is an old man. We know he has served this country very well. However, there comes a time when we must say, "You have done enough. Let somebody else come in and take your chance." We are not going to say that Prof. Sam Ongeri is incompetent. But there are equally able Kenyans who have been promised future leadership and the time is now. They are, however, still being promised to wait. We must live by the promise we made to the people at the time of elections. The Jubilee Government promised young Kenyans that it is a digital Government and that this is the time of the youth. When you look at this list,

you realize that digital is just a lip service from the Government. I caution the Government that it should live by what it promised. It should also preach and live by what it preaches.

Thank you, hon. Speaker for giving us a chance.

Hon. (Ms.) Nyamunga: Thank you, hon. Speaker. I would also like to take this opportunity to commend the Committee for a job well done although, from the Committee, it is very clear that it is difficult for us to know who is saying what. That is because one side is completely saying a totally different thing. Other than that, I think the Committee has done a very commendable job.

Hon. Speaker, I would also like to congratulate the President for the nominees. Most of them are very competent people and for that, I will support the Motion. Now, I would like to make a few remarks concerning only one of the nominees. With all due respect to Madam Subow, I know she is a very able woman in this country. She has made a lot of contributions in different capacities but now, taking for example the last place where she served - and that is the *Maendeleo ya Wanawake* - you will find that there are issues there. I remember the many years when I was young and my mother was a member of *Maendeleo ya Wanawake*. She did a lot of good in my family. She was very competent as a housewife and from *Maendeleo ya Wanawake*, my mother learnt a lot of things. She used that to bring most of us up and I think you can see that in the example that is in me.

Hon. Speaker, however, one issue that I would have with Madam Subow at *Maendeleo ya Wanawake* is that there are a lot of questions that have been left unanswered. For example, at the time they were campaigning, there are reports that there were a lot of irregularities at *Maendeleo ya Wanawake*. There has been no formal hand-over up to now. The people at *Maendeleo ya Wanawake* are going through a lot of confusion. During the time of campaigns and elections, there was a lot of confusion.

If you look at the *Maendeleo ya Wanawake* that we know and the one that we knew, I think for the last few years, we do not hear about *Maendeleo ya Wanawake*. I do not even know what *Maendeleo ya Wanawake* does for our women in the counties as at now. I do not know the impact that *Maendeleo ya Wanawake* has created in the last say five or six years and, more so, during the time that Madam Subow was its chair.

Secondly, there are so many questions on the issues of finances. That is recorded and can be brought before this House, if there is need for that. There is the issue of the rent that has been accruing from the property of the *Maendeleo ya Wanawake* and even some Income Tax that has never been remitted amounting to almost Kshs40 million. That is from reliable sources and it is documented. We also realized that the building of *Maendeleo Ya Wanawake* that is on Loita Street is almost going to be up for sale because of non-payment of the 16 per cent, that is Value Added Tax (VAT).

So, in my view, I think much as she is able in many other things but, from the point of view of the way she has run *Maendeleo ya Wanawake*, a lot needs to be done. I think she should sort out herself with *Maendeleo ya Wanawake* before taking up this responsibility. If that is not done and the same traits which we have seen in her during her tenure at *Maendeleo ya Wanawake* are transferred to her new posting, that may give us a very bad name. I know most of the females that the President has appointed have performed very well. So, as women of this country, we are very skeptical about the

nomination or the appointment of Madam Subow as one of the nominees and that needs to be checked before it is too late.

With that, I support the nominations but with reservations, hon. Speaker. Thank you.

Hon. Speaker: Hon. Robert Tonui.

Hon. Tonui: Thank you, hon. Speaker for giving me this opportunity to support this Motion. I believe that by approving this list of nominees, we will be empowering the President to fulfill his mandate. The Kenyan people elected him to fulfill certain functions and he needs people to assist him. Those ambassadors will assist in a great way.

One area in which we will be relying on those ambassadors to assist us is in marketing Kenyan products, especially Kenyan tea. Where I come from, we rely on tea. Once we approve those people, and I believe they are listening, we want to send a clear message to them that they need to go outside there and market the various products from this country, like tea. I am very sure that we are going to approve their nominations. So, I am simply giving them an assignment because currently, the people I represent – the farmers of Bomet Central – are really suffering because of tea prices. So, that is a clear message which they need to have as they go outside there.

Hon. Speaker, I think coming from an educational background, it is simply unfortunate that none of the teachers was captured. But I believe education attachees will surely get some jobs and they will pick teachers right from schools. I also believe that the work which was done by this Committee was nothing but the best. They vetted those people and I believe they are people of high integrity. Those are people who will be able to serve us with the highest degree possible.

I know one of the nominees, Joseph Magut. I schooled with him at Kenyatta University (KU). He was one of the student leaders and he performed highly. So, I believe he really deserves this position. There is the issue of Chelimo. I was listening over the radio as she was being vetted and people were saying that she requires to be married in order to be validated. She answered it very well. I believe that is the best nominee in this list and I am very sure she is going to perform where she will be. I think she is the only youth that we have in this list. I would have wished that we increased the number of youths so that we have more role models in this list. However, there is the next list of appointment which I believe is going to capture the youth.

Hon. Speaker, I also want to support this because it has a national outlook - although one of the Members has complained about Kuria. Remember we have 42 communities in this country and we cannot capture all of them in one single appointment. I believe they will be in the next list so that we have a national outlook. I hope that in the next list, someone from Bomet Central will also be captured. Nobody from Bomet Central is in this list. I hope in the next round, someone from Bomet will be captured because we have people who are highly qualified and who deserve to be in this list.

Hon. Speaker, on the issue of their qualifications, I want to note that those people are well read. There are several professors and doctors in this list. We need to mix all of them. So, I believe those people really merit those positions which they have been appointed to.

Hon. Speaker, you know I am also very active on Facebook. I perused it and someone called Emmanuel from Bomet Central asked me to tell you to clarify that Bomet

Central is not among those funny constituencies and that it could be a different one. Thank you, very much.

Hon. Speaker: Hon. Peter Kaluma, the Member for Homa Bay Town.

Hon. Kaluma: Thank you, hon. Speaker for granting me the opportunity to speak to this important Motion. A short while ago, I was in Turkey and I saw the economic potential there and the possibilities for growth in bilateral arrangements with them. In fact, when I returned to the country, I posted something on my social media page asking why we did not have a mission in Turkey. I want to confirm to the country that I now know our President is truly digital because a day following that post, an announcement came that we are going to have a mission in Turkey and, of course, hon. Kiema is headed there.

Hon. Speaker, I am saying this to emphasise the fact that we must be very strategic in the manner in which we create and position our missions to engage with the world. Turkey is possibly the strongest and fastest growing economy in Europe and Asia. It is a very unique country and I think I want to wish the Ambassador very well. Sometimes, leadership goes local. Let me take this opportunity to thank His Excellency the President for remembering Nyanza Province with up to four appointments. Two are coming from the Kisii side while the other two are distinguished Kenyans coming from the Luo side of Nyanza. We spoke of Jeoff Otieno.

Hon. Speaker, as a Member of Parliament from Homa Bay County, let me thank His Excellency the President for the honour he has given to our son Lazarus Ombayi Amayo. I was in London two months ago and we really have challenges in the Embassy there. This is a good choice and I believe that this is a Kenyan who will work on this.

Kenyans may not know but this is one leader of KANU then who would speak to our people without being heckled or attacked when multipartism came to this country. He is very diplomatic, very experienced and knowledgeable.

Let me end this message to the President by saying that whenever he remembers people from Homa Bay County, he makes very good appointments. Previously, we had the Principal Secretary, Mangiti. I think we cannot thank him more. If anything happened to the President in Migori which was unfortunate--- I want to thank the President although that Motion has been passed. Today, we have a head of Intelligence Service who has been approved by this House. He has been designated by the President so that he can have intelligence. We do not want a situation where our community, for want of proper intelligence collection, finds itself in the situation we found ourselves in.

(Laughter)

Hon. Speaker, there is need for us to think about what our foreign policy is. You do not send people abroad and use our missions as a dumping ground or for seeking political favour or giving them away.

I remember one time hon. Mwakwere, who is our nominee to Tanzania, sang in Lingala. When I saw the appointment, I thought hon. Mwakwere was being sent to the Democratic Republic of Congo (DRC) because he is a very good guy.

(Laughter)

However, I want to say that, as Members of Parliament, let us acknowledge that those are presidential appointments. If the President believes that, that person who does not hold a degree will be the best representative of the country out there, so be it. I cannot end without thanking the President. I am going to invite him to Homa Bay County so that we can welcome him there properly.

Thank you, hon. Speaker.

(Laughter)

Hon. Ichung'wah: Thank you, hon. Speaker. I rise to support this Report. Maybe it is good to mention to hon. Kaluma that if, indeed, they invite the President to Homa Bay County and treat him well--- The President is at liberty to visit any part of this Republic and be treated with the respect that he deserves because of the office that he holds.

It is important to note that many of the nominees who have been nominated by His Excellency the President to serve in various positions across the world are people whose experience and qualifications are impeccable. This is despite the minor reservations that my colleague, hon. Chris Wamalwa had. It is important what hon. Kaluma has said, that a university degree is good. Indeed, we want to encourage all our children to go to school and achieve the highest levels of academic qualifications. However, it is equally important to recognize those other skills and experiences that individuals have and accord them the respect that they deserve. Therefore, to insinuate that because somebody does not hold a university degree is not deserving, is not right.

Hon. Speaker, it is also important to note that this list has had support across the board; that is from both sides of the political divide. This is basically because of the kind of inclusivity that we have been hearing people in funerals and those calling for a referendum asking for. If there is anything that speaks volumes of the President and the Jubilee's commitment to inclusivity in public service, it is this list.

It is important to note that His Excellency the President has nominated people not just on the basis of the regions that they come from, but also in terms of age. That is why we have been emphatic that we shall not discriminate, whether it is Madam Chelimo who is 35 years old or Sam Ongeru who is over 70 years old. This is important because I heard hon. Jakoyo Midiwo speak in regard to what has been called on the political leadership in this country, to relinquish their positions. That is those who are seeking to be presidents in this country on the basis of age.

I want to tell hon. Jakoyo that it is not age alone because we know that wisdom comes with age. It is the wisdom that informs the decisions you make when you are appointed to a position of authority. That speaks volumes of who you are.

Hon. Speaker, I must say that in the last Grand Coalition Government, there were those who were given an opportunity to appoint people. Those are the same people who are today talking about inclusivity. When they were given an opportunity to appoint people to positions in the Government, we saw them appointing their cousins, brothers and sisters in positions like those in the last Government. It is important that hon. Uhuru Kenyatta today has recognized someone like Lazarus Amayo.

Hon. Dennitah Ghati has spoken volumes about the people of Kuria but it is also important---

An hon. Member: Was he in the last Government?

Hon. Ichung'wah: Hon. Speaker, Lazarus Amayo was in the *nusu mkate* Government but he was fired by the former Prime Minister because he hailed from South Nyanza. Now, the people of South Nyanza have an opportunity to serve in the Government because hon. Uhuru Kenyatta has recognized them. It is important to note that even in this House, when the CORD and ODM leadership was given an opportunity to nominate Members to this Parliament, the former Prime Minister nominated his own brother to come and sit in this House to represent special interests.

Hon. Speaker, it is imperative for Kenyans to ask themselves what those special interests are. Let us reserve seats that are for special interests to those special interest groups like the disabled in this country.

Thank you, hon. Speaker. I can see my time is gone.

Hon. Mwashetani: Ahsante sana, Mhe. Spika kwa kunipa fursa hii ili nichangie Hoja hii ambayo imeletwa mbele yetu. Ningependa kwanza kumpongeza Rais kwa kuchagua mabalozi hawa. Vile vile, ninampongeza Rais kwa kuangalia sehemu zote za Kenya. Alihakikisha kwamba wakilishi ametoka kila sehemu ya nchi yetu ya Kenya.

Mhe. Spika, ninatoa shukrani kwa Kamati ambayo imeunda Ripoti hii, mbali na kuwa ina matatizo hapa na pale. Sisi ni wanadamu na hakuna aliyekamili. Kwa hivyo, ninawapongeza. Vile vile, ninatoa kongole kwa wale ambao walichaguliwa kuwa wakilishi wa nchi yetu ya Kenya. Ninashukuru kwa kuchaguliwa kwa mmoja wetu kuwa Balozi wa Tanzania. Mhe. Mwakwere amepata fursa hii kutokana na ujuzi alionao. Mbali na kuwa ana umri mkubwa, sote tunatambua juhudi zake na alivyochangia katika Serikali hii kuweza kuwa mahali ilipo. Kwa hivyo, natoa kongole vile vile.

Mhe. Spika, ningependa kueleza Bunge hili kuwa Kiswahili ni lugha ambayo imetambulika Kikatiba. Katika fikra zangu si lazima uzungumze Kiingereza sana ndio utambulike kuwa umesoma. Mhe. Amb. Sheikh Dor, leo tungekuwa tunatambua hali yake kulingana na elimu aliyonayo. Mhe. Dor ni kiongozi ambaye katika kifua chake ametambua anaweza kusoma Quran pasipo na kusita wala kukosea hata sentensi moja. Hiyo ni katika jarida la juu zaidi ya yule professor ambaye anatambulika katika wakati wa sasa. Kama tunavyojua sasa hivi, makaratasi ya udaktari na profesa yanaweza kupatikana sehemu zozote Kenya. Lakini hauwezi kuielewa na kuitambua Qurani kwa kupitia njia ambazo si sawasawa.

Bw. Spika, nikimalizia, ningependa kumpa kongole Rais kwa kumteua dada Sophie Kadzo ambaye ametoka katika familia dogo na hatambuliki Kenya hii. Hii inaonyesha ishara ya kuwa tunakoelekea, mtu ambaye si mtu anaweza kuwa mtu kulingana na uongozi ambao uko wakati huu.

Nikimalizia kabisa, ninajua sasa hivi tuko kwenye utata wa kura ya maoni. Mambo mengi ambayo yametajwa katika kura ya maoni ni mambo ambayo tuko na imani kuwa sisi hapa kama Wabunge tunaweza kuyamaliza. Tumezungumzia maswala ya kuhakikisha kuwa sura za wakenya ziko kila mahali na hili ni dhahirisho tosha kuwa Serikali ambayo ipo inayatambua maoni yetu kama Wabunge. Tumepewa fursa hii kubadili ama kutatua matatizo yalioko.

Kwa hayo machache, naunga mkono Ripoti hii.

Hon. Ngare: Thank you very much, hon. Speaker. From the outset, let me thank the President for nominating very capable Kenyans to those positions. Those people have a lot of education and experience, especially hon. Githae, who comes from my constituency; Ndia, and Kirinyaga County in particular. I have known him for 15 years and as a Minister for Finance and also former Member for Ndia, I know he will do a very good job in Washington especially in economic diplomacy.

It has been noted very clearly that there is no set criteria for appointing those qualified Kenyans. I call upon this House to pass a law, rules and regulations so that, in future appointments, we have set criteria to go by. Otherwise, it is very commendable for the Committee, for the first time, to do this work the way they have done it.

Of particular interest is the appointment of Ms. Lucy Chelimo. I am not a Member of this Committee, but I was listening to the radio and the way she was answering questions impressed me very much. We have very capable young women and men who can do this work. I call upon His Excellency to appoint more young people to those positions. They can do commendable work.

With those few remarks, I support the Motion.

Hon. Anami: Thank you, hon. Speaker. I rise to support this Motion. The President has done us proud. In recognition and acknowledgement of the provisions of the Constitution, he has attempted to a great extent to attain equity and fair distribution of those appointments. He has also gone for quality personnel. I would like to recognise here the appointment of Prof. Godia, especially in the UNESCO agency. Prof. Godia has made a lot of contribution to UNESCO. He has helped us to establish a lot of shares within the UNESCO circles. This is the right person having served as the Permanent Secretary in the Ministry of Education, where that agency was domiciled.

I would also like to acknowledge and thank the President for recognizing Lemoshira Richard. I can speak confidently about him because he was my student from Form One. He is a very pleasant young man and very talented in many ways. If he takes that talent of Kenyans to Harare, we are going to have very good representation there. That does not mean that I do not have good words to say about the others. Generally, we have a good team that is going to represent us. What is important, and I would like to underline this, is the enhancement and propagation of our foreign policy. If we have a team like this, it is very important for us as Kenyans to domesticate a lot of the conventions that we sign with international entities. We have signed so many agreements, but we do not domesticate them here. I would like to see a lot of legislation that endears us to those conventions and agreements that we make with the international community.

The point that I have great concern for now is the falling price of tea. The price for Kenya tea is falling. Farmers, for instance, from Kakamega County who were earning Kshs24 per kilogramme, are now earning Kshs10. Most of them do not have a reason now to continue cultivating tea. When our brother goes to Cairo, which is the main importer of our tea, this should be addressed. Across the board, we should have business with the international community which benefits Kenyans up to the grassroots. We should avoid diplomacy that just enhances the elite class. Kenyans out there are producing crops, especially tea, for which we would like to have an international market.

With those few remarks, I support.

Hon. M’uthari: Thank you, hon. Speaker, for giving me the opportunity. From the word go, I would like to support this Report and congratulate the President for the appointments of those qualified Kenyans to the various positions and embassies. As I support this, as much as the President has looked at the various regions, I would like him, maybe next time, to look across the country and across the regions. There are those forgotten regions within the regions that are considered to have people in positions, like the people of Igembe. Many of them are left out.

The Kenyans who have been nominated have a lot of experience. They have many years of service to this Republic and we expect that this will also be translated in the service that they are going to offer to those places. Given the mood of the House, it appears that many of those nominees will go through. When they go out, they should really serve the interest of the Kenyans. There are specific areas where they can contribute to the growth and development of this country. Many of the ambassadors who come here from other countries, come to represent the interests of their countries, for example, business, economy and other influences. We also expect our ambassadors, when they go out; they have the opportunity to present the interest of Kenyans, for example, in marketing our tourism. That way, they can market the country even where there is bad publicity. It has happened before. They should take the opportunity to market the interests of this nation so that, by the end of the day, we can also have more resources and investors can come to our country. It should not be that when things happen, there is nobody there.

Hon. Speaker, we have also other cases. I come from Igembe, the land of *miraa*. When *miraa* was banned, the ambassadors in those countries did nothing. They never spoke about it and, at the end of the day that brought sabotage to our economy. So, when we are approving our ambassadors, we expect that when they go out there, they should not be representing their own interests. They should look at the wider interests of the Kenyan people.

They should take into account the interests from all the regions and see what is of importance to Kenyans as debate goes on in the country about devolution of resources to the counties. When we send representatives out of this country, they should go and market Kenya as a country in order to attract investors. That way, we can have technologies that can help this country move ahead. They should not be there for the sake of others or to please themselves. Some of them, in as much as they are qualified, have been given that opportunity as a reward for their support or other things.

With those few remarks, I would like to support this Motion and ask the President to consider other regions like Igembe, the land of *miraa* and *Njuri Ncheke*.

Hon. Ng’ongo: Thank you, hon. Speaker for giving me this opportunity to contribute to this historic moment. I call it “historic” because it is the first time in the history of this country that Parliament is vetting and approving nominees for various positions of ambassadors and high commissioners to our missions abroad.

I have heard people talk about age, questioning the age of Prof. Sam Ogeri among others. But for those of us who served with Prof. Sam Ogeri in this Parliament and the late hon. Michuki, we will attest to the fact that age is just but a number. Actually, I remember the Ministers who were ever present in Parliament to answers questions asked by hon. Members; and answer them satisfactorily, were the late hon.

Michuki and hon. Prof. Sam Ongeru. Therefore, when someone is qualified regardless of his or her age; he or she can still make a contribution to this country.

Hon. Speaker, I happen to know a number of nominees - Prof. Sam Ongeru, hon. Makwere and hon. Githae. Actually, as a matter of fact, when hon. Githae was appointed to the Ministry of Finance, many of us had issues with him because he is a lawyer by profession. But I would like to tell you that, if there is any one Minister who has served this country effectively and efficiently in the Ministry of Finance, it is hon. Robinson Githae.

Therefore, I do not have a problem with many of those nominees, including one Amb. Lazarus Ombayi Amayo and Prof. George Godia, who are very qualified.

Hon. Speaker, my concerns are two; and that complicates it for me to support this list.

First, since President Uhuru started making appointments; there is not even a single Suba who has been appointed. Some people are asking, derogatively whether there are Subas. I will tell you that Subas have two hon. Members of Parliament in this House. I want to report that we have three hon. Members of the National Assembly and one in the Senate. All are Subas.

In the last Government, one Suba served as Minister and another one, who is speaking right now, served as an assistant Minister. That is besides having a permanent secretary. Right now, there is no reason why we should have my friend hon. Githae, whom I have no problem with, Njenga Isaac; Dr. Stephen Ndung'u Karau; Amb. Jean Kamau and Amb. Solomon Karanja Maina.

Hon. Speaker, one of those five positions should have been given to a Suba; instead of being given to one community. I want to assure the President that he has friends even among the Subas. In fact, the Chairman of all the 47 TNA chairmen of counties comes from Suba and he is called Jack Otana. That is someone who stood against me on a TNA ticket. You know, selling TNA in Suba is like selling *bhang* in SDA Church.

An hon. Member: That is very hard!

Hon. Ng'ongo: Yes, it is true. To sell TNA in Suba is not easy, but this gentleman did that.

Secondly, it is the issue of gender. Instead of having, at least, eight women, we have only four. This is not acceptable! I want to tell the President, if he is watching these deliberations or whoever is watching on his behalf that gender parity is necessary. You need to do it in all appointments, together with Subas being considered. In fact, in the next appointment, I would like to see someone like Mr. Jack Otana getting an appointment.

Finally, I heard hon. Ichung'wah talk about hon. Dr. Oburu, who is a qualified Member of Parliament. Hon. Dr. Oburu came to this House when hon. Ichung'wah was probably in primary school. He should respect him just the same way I would respect hon. Beth Mugo who was also nominated to the Senate and she is related to the President. So, those people have the qualifications in their own right. Hon. Ichung'wah is very careless in his talks, although I know his excitement of being a first-timer! That excitement is still with him! But when he matures in the next 12th Parliament, I think he will be a little sober. You can see the way even Ken Obura is excited as a first timer!

Thank you, hon. Speaker.

Hon. Speaker: Yes, hon. (Ms) Mary Emaase.

Hon. (Ms.) Otucho: Thank you, hon. Speaker, for giving me this opportunity and for recognizing gender.

Hon. Speaker: Hon. Mary Emaase, you may have to contribute for only two minutes because in the next two minutes, I will call the Mover to reply.

Hon. (Ms.) Otucho: First and foremost, I must congratulate the President for nominating those very able Kenyans – men and women. I also must commend the Committee for a job well done, despite all the challenges. I must say that the Committee has done a very good job.

Having said that, all those nominees were found suitable, going by the Report and the evidence that is attached. It is very evident that all the nominees were found suitable as per Section 69. Even those who contested, their letters did not meet the threshold that is required. They were cleared by HELB, KRA, and EACC and even by their qualifications. So, in the absence of any specific legislation setting standards or guidelines, I must say the Committee, in its wisdom and jurisdiction, managed to do a very good job. For those they have recommended, I support them. I think they have done a very good job.

Before I conclude, I must congratulate the President, in particular, for giving us the larger western region Dr. George Masafu. We have Joseph Magut and also Mr. Isaac Njenga who is from Trans Nzoia. We also have Professor George Godia. I must thank him for giving the western region those nominees. There is Ombete from---

Hon. Speaker: Mover!

Mr. Shill: Thank you, hon. Speaker. May I take this opportunity to thank all Members, especially those who spoke and those who have not spoken. I also wish to take this opportunity to thank the Chairman and the Committee on Defence and Foreign Relations. As I was saying, this is the largest number of nominees to be vetted by a single Committee. I also want to applaud the Constitution which gave this mandate to the representatives of the people to check the suitability of the nominees. This is another way of checking the Executive on whether they have chosen the right people. This will also send signals to public officers, especially ambassadors and high commissioners, that when they go and discharge their duties, they should be working properly.

Economic diplomacy is one of the things that we always try to give. We want value for money. We want to see so many Kenyans employed. We want to see so many businessmen and women of Kenya having many businesses in many countries and also we want direct foreign investment to be doubled in this country.

Hon. Speaker, if I go to our nominees, Prof. Sam Ogeri has done a good job for this country. The age he has demonstrated is nothing but a number. After all, the people he is going to intermingle with, some of them are his agemates, like Ban Ki Moon, Kerry, the Foreign Secretary of the United States and Kofi Annan. So, there is nothing wrong to have that type of age. All those nominees who have been vetted are up to the task. We have cleared them. We have seen that they are going to do well and I plead with Members of Parliament to pass them. They are Kenyans. They are doing well and they will be doing very well. I am sure majority of them are serving ambassadors and they have done a good job in many places.

So, with those few remarks, I would like to move.

(Question put and agreed to)

(Applause)

ADJOURNMENT

Hon. Speaker: The Motion is carried, hon. Members. Hon. Members, as this was a Special Sitting of the House to discuss those various Motions which the House has disposed of, the House now stands adjourned until Tuesday 14th October 2014 at 10.00 a.m. That will be Question Time.

The House rose at 6.25 p.m.