

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 23rd April, 2008

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### NOTICE OF MOTION

#### MERGING OF IDENTIFICATION AND VOTING CARDS INTO ONE DOCUMENT

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:- THAT, given that many Kenyans do not have identity and voters cards; aware that both cards are acquired at the age of 18; acknowledging the need to reduce Government operating costs; this House resolves that the two documents be combined into one to serve both functions of identity and voting.

### ORAL ANSWERS TO QUESTION

*Question No.011*

#### DELAY IN RELEASE OF SECONDARY SCHOOL BURSARY FUNDS

**Mr. Ethuro,** on behalf of **Mr. Mbau,** asked the Minister for Education:-

(a) whether he was aware that funds under the Constituency Secondary School Bursary Scheme for 2008 are yet to be released; and,

(b) what plans he has to ensure that, aside from the Government's free secondary education policy, gifted but needy students are specially catered for in the scheme.

**The Assistant Minister for Education** (Mr. Mwatela): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that funds under the Constituency Secondary School Bursary Scheme for 2008 are yet to be released.

(b) With the implementation of free secondary education, day secondary school students will not need bursary assistance. More funds will, therefore, be available for allocation to identified gifted but needy students.

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, you have heard the Assistant Minister say that he is not aware that the Constituency Secondary School Bursary Scheme is not operational and yet, it is a scheme by the Government. When did they stop providing money to that scheme? Is it this year? Furthermore, the money that the Government has given for free secondary education is not enough to serve all the purposes.

It is allocated on the basis of enrolment and it is not adequate. I will give you an example.

Lodwar High School gets Kshs23,000 per annum. If you allocate Kshs10,000 to a student, there is a difference of Kshs13,000. The bursary scheme is expected to cover the deficit. How could the Assistant Minister not be aware? When are you releasing the money?

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, in the current financial year, the Ministry of Education disbursed Kshs402,426,970 to all the constituencies. The money was released in February 2008. The hon. Member may be behind his own constituency records because our records show that Maragwa Constituency, which is represented by Mr. Mbau, received---

**Mr. Ethuro:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead this House? In his initial response to part "a" of the Question, he stated that he is not aware. In his supplementary answer, he is saying that the Government has released Kshs402 million. What for? How could he be aware in just two minutes and yet, he was not initially aware?

**Mr. Deputy Speaker:** Mr. Assistant Minister, are you aware if the funds have been released or not?

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, the Question was:-

"Is the Minister aware that funds under the Constituency Secondary School Bursary scheme for 2008 are yet to be released?"

That was the Question!

**Mr. C. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. It is a tendency by Ministers that, when they are asked whether they are aware, they answer that they are not aware. The reason why we bring Questions to this House asking whether the Minister is aware, is for him to talk to his officials and bring a satisfactory answer to the House. When a Minister - and I beg your ruling on this issue - comes to the House and says he is not aware, is that not a way of portraying arrogance to this House? The Question has not been asked for him to say---

**Mr. Deputy Speaker:** Order! I think that has to do with semantics! The Question says: "Is the Minister aware that funds under the Constituency Secondary School Bursary scheme for 2008 are yet to be released?" He has said that he is not aware that they are yet to be released. That means that he is aware that they have been released. So, basically, it more or less of that!

*(Applause)*

**Mr. C. Kilonzo:** Thank you, Mr. Deputy Speaker, Sir. English is a foreign language, but the Question is very simple. We have not received funds for bursary. There are funds for free secondary education. There are also bursary funds for secondary schools. So, could the Assistant Minister clarify whether he is talking about free secondary education because funds for bursary are yet, to be received? That is the position!

**Mr. Ethuro:** On a point of order, Mr. Deputy Speaker, Sir. Just because English is a foreign language is no excuse for somebody not to get it right. The Question reads: "Is the Minister aware that the funds under the Constituency Secondary School Bursary for 2008 are yet to be released?"

His answer was that he was not aware. In the supplementary answer, he says that the Government has released Kshs400 million to all constituencies. That is a bundle of contradiction; English language being foreign notwithstanding!

**Mr. Deputy Speaker:** Order, hon. Ekwee Ethuro! I know you are very good in the language, but the Question is very explicit. It says: "Is he aware that the funds are yet to be released?" He said that he is not aware that the funds are yet to be released because he is aware they have already been released. So, the answer is okay!

Proceed, hon. Imanyara!

**Mr. Imanyara:** Mr. Deputy Speaker, Sir, I appreciate that the Assistant Minister may be new on the job. However, the truth of the matter is that the Government issues a policy regarding

free education and then it is followed by amendments that, in order to qualify for bursary funds or for this free education, classrooms must have a minimum of so many students. As a result, in a place like Central Imenti Constituency, you find that those parts of the constituency that are in the lower arid zone, there are less than ten schools that meet the criteria that the Government sets for qualifying for these funds. Is the Assistant Minister telling us that they have removed that amendment to the policy guidelines issued and that they are giving this money to all the schools in the country without limiting the size of the classrooms?

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, the question raised by Mr. Imanyara is slightly different, but---

**Mr. Deputy Speaker:** I also appreciate it is a policy matter and he should be able to shed some light on it.

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, the hon. Member asking the question should be aware, by now, that---

**Mr. Imanyara:** Mr. Deputy Speaker, Sir, could the Assistant Minister answer part "b" of the Question---

**Mr. Deputy Speaker:** Order! Mr. Imanyara, first of all, let the Assistant Minister answer!

**Mr. Imanyara:** Mr. Deputy Speaker, Sir, how can he tell me that I am aware when I am telling him that I am not aware and that is why I have asked the question?

*(Laughter)*

**Mr. Deputy Speaker:** Proceed, Mr. Assistant Minister!

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, as a policy of the Ministry of Education, there are circumstances where we have given the disbursements to schools that have less than the enrolment stipulated. That is the policy. Now, I want to clarify the question of bursary. Maragwa Constituency which has an enrolment of 5,933 students received Kshs2,245,628, as bursary funds in February this year. This money was channelled through account number 275681871, Kenya Commercial Bank (KCB), Saba Saba Branch.

**Mr. Imanyara:** Mr. Deputy Speaker, Sir, are you satisfied that the Assistant Minister is giving an answer to the Question? Could he inform the House the criteria for giving these bursary funds that are being provided for classes of less than 40 pupils whether in Maragwa, Central Imenti or your very own constituency? What is the policy of the Government regarding the size of the classes and the number of pupils that qualify for bursary funding and free education? That is the question I asked.

**Mr. Deputy Speaker:** Mr. Assistant Minister, it is about the policy guidelines that you have.

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, may I request that the hon. Member files another Question on the matter because that is not the original Question that was asked?

**Mr. Deputy Speaker:** Order, hon. Assistant Minister! I remember the same Question was on the Floor when the Minister for Education, Prof. Sam Ogeri, was here and he answered the same. The issue was why is it that in those classes that have less than 45 students, some Kenyan children who also have a right to access those busary funds, were denied that right? So, this is more or less, that there are many schools in Central Imenti Constituency where children cannot access fees. What is your policy on those children where the size of classes are less than 45 children? Do you undertake to come with this answer at a later time or you can answer it now?

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, I undertake to give an answer at a later time.

**Mr. Deputy Speaker:** When?

**Mr. Mwatela:** Mr. Deputy Speaker, Sir, next week.

**Mr. Ruto:** On a point of order, Mr. Deputy Speaker, Sir. I can see very clearly that the Assistant Minister is bewildered and he is new. Is it in order for the hon. Members to harass the new Assistant Minister? I would suggest that hon. Prof. Ongeru be called upon to come and answer this Question in the afternoon. Is it in order for Government to send Assistant Ministers here to come and answer Questions before they undergo orientation? They are not aware of the policies in the Ministries!

*(Laughter)*

**Mr. Deputy Speaker:** Hon. Ministers, you must give sufficient and adequate orientation to your Assistant Ministers.

Proceed, hon. Charles Kilonzo!

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, we are dealing with a sensitive issue where children need this money as soon as possible. The Assistant Minister says that he will bring a satisfactory answer to this Question next week. Could we call upon him to bring a satisfactory answer tomorrow afternoon since he will be briefed by his Minister there?

**Mr. Deputy Speaker:** Mr. C. Kilonzo, the Chair has allowed the Assistant Minister to bring a satisfactory answer next week on Tuesday afternoon.

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, the tradition of the House is that I have the last word on this Question. Let me ask for your indulgence because this Assistant Minister does not understand the Question. So, he cannot answer a Question that he does not understand.

Anyway, unfortunately, he is my friend. These fresh Assistant Ministers are acting like strangers in a strange land. However, more fundamentally, this is an important Question. Right now, we are talking about food prices skyrocketing and famine and drought ravaging this country. Parents cannot afford fees for their children. The money that the Assistant Minister has sent to schools for the free secondary education is not adequate. Could the Assistant Minister, when answering this Question satisfactorily, ensure that he understands it and that he will make a categorical statement that when schools open next term, not a single Kenyan child shall be sent home because of school fees? Could he make that commitment to Kenyans before this House right now?

**Mr. Deputy Speaker:** Mr. Ethuro, because of the fact that the unsatisfactory answer to the Question plus the supplementary questions and the previous concerns of the House, it has been deferred to Tuesday, next week. The answering of the Question cannot be entertained any further. Let us proceed on to the next Order!

*(Question deferred)*

**The Minister for Education** (Prof. Ongeru): On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** On what? On this Question that we have just concluded?

**The Minister for Education** (Prof. Ongeru): Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** You are out of order, hon. Minister!

Next Order!

## MOTION

MERGING OF IDENTIFICATION AND  
VOTING CARDS INTO ONE DOCUMENT

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, I beg to move the following Motion:-  
THAT, given that many Kenyans do not have Identity and Voters Cards; aware that both cards are acquired at the age of 18; acknowledging the need to reduce Government operating costs; this House resolves that the two documents be combined into one to serve both functions of identity and voting.

This Motion is extremely important to the pastoral regions in particular, and the nation in general. We have witnessed a lot of under-staffing, especially in the Department of the Registrar of Persons. I am glad the freshly appointed Minister for Immigration and Registration of Persons is here. As I stated yesterday, I want him to stay here throughout the debate. He is paid to do this job and not to go and sing "*mapambano*" in his office!

Mr. Deputy Speaker, Sir, an identity card is a very important document. A voter's card is also a very important document. I am not looking at the issues surrounding post-election violence. I am looking at the Kenyan who has attained a particular age and needs identification for purposes of going about ordinary life. When you put conditions that one needs to pay a little fee in order to acquire a document that identifies him or her as a Kenyan, as if it was a mistake to be born a Kenyan--- In pastoralist areas, if you are an adult you have to go to a medical doctor who will examine your dental formula. Just imagine, an old man of 70 years and above, opening his mouth to some young doctor! It is completely embarrassing! You have to get your chief to confirm your identity. It is even worse in a place like North Eastern Province, where there is a third level of vetting. We consider this as discrimination against Kenyan nationals.

Mr. Deputy Speaker, Sir, this Motion calls upon the Minister--- He is a very nice man and a legal mind that I respect in this House. As his initial contribution to the people of Kenya and a commitment of reform agenda, he should make sure that the requirements that you need to meet to acquire the national identity card are removed. All that one needs is to confirm that he or she has attained the age of 18 years.

Mr. Deputy Speaker, Sir, this Motion also calls upon the Minister to ensure that there is a rapid exercise in which the production of identity cards--- Before we went for the general election, we heard that the Ministry was producing 20,000 identity cards per week. We would like the Minister to increase this to the rate of 100,000 cards per week. Kenyans can no longer be waiting to get a document that they are entitled to.

Mr. Deputy Speaker, Sir, this Motion calls upon the Minister to ensure that the Department of Registration of Persons has sufficient personnel ready and committed to work anywhere in the Republic, particularly in northern Kenya. Why do I say this? I hope that the Minister is fully aware that northern Kenya is not North Eastern Province. North Eastern Province is part of northern Kenya. Northern Kenya includes the North Rift, Mr. Minister.

Mr. Deputy Speaker, Sir, because of the little money that is allocated to the registration of persons, politicians have taken advantage to the extent that they pay the officers and the clerks in order to produce identity cards for their people. This is for the sole purpose of getting the numbers to vote for them. I think that is politicisation of the Civil Service. That is completely unacceptable. We want Government officers to work freely on the basis of need. They should move to areas where they know people need identity cards. They should go there on their own and use criteria that is independently established.

Mr. Deputy Speaker, Sir, we are saying that some of these things should be combined. Apparently, the Electoral Commission of Kenya (ECK) has enough money to do continuous registration of voters at its headquarters. It has enough money to send out clerks once every year to register voters. However, before one is registered as a voter, he or she has to have an identity card. When you look at these two documents, the difference in their particulars is very limited. You can

transfer only two sets into one other document. Given that there is a bloated Cabinet that might need more money, this House is completely mindful of the cost factor. We can reduce some expenses here and pay the bloated Cabinet. Is that not being mindful of your welfare? Is that asking for too much? The Minister should take this Motion very seriously and adopt it quickly.

Mr. Deputy Speaker, Sir, I am saying that it is not just a matter of a bloated Cabinet. Prudence dictates that we do things in the most cost-effective manner. It means that we should not make somebody have so many documents. In fact, ideally, if someone acquires a driving licence all the information should be in that one document. That way, Kenyans can manage their affairs properly and easily.

Mr. Deputy Speaker, Sir, I am demanding that some of these requirements be removed for northern Kenya in particular, because one needs an identity card to go to a bank. However, where I come from, apart from Lodwar Town, there are no banks anywhere!

**An hon. Member:** Where do you come from?

**Mr. Ethuro:** I come from Lodwar!

Mr. Deputy Speaker, Sir, you need an identity card in order to access other services, but where I come from those services are not available. Therefore, in the first place, they do not see why they have to buy this document at an exorbitant price of Kshs100, yet they hardly use it except for purposes of voting.

Mr. Deputy Speaker, Sir, what crime have our youths committed? We ask people who cannot be in a position to be engaged in any meaningful employment, just because they have changed from being teenagers to being adults, to pay a price. These issues must be troubling the Minister. These issues will make the Minister realise that it is extremely important that Kenyan children, who attain the age of adulthood, be recognised and appreciated by being granted that very important document.

Mr. Deputy Speaker, Sir, many people cannot vote because they do not have identity cards. Voting is so critical. It is a birth right that every Kenyan must be entitled to. This Motion calls upon the Minister to ensure that every Kenyan, who has attained that age, gets an identity card which then automatically becomes a voter's card. That way the Kenyan youth will have the ability and capacity to participate in the public life of the Republic by electing their leaders. The Minister will not want to heed to the request in this Motion only if he wants us to accept the tendency by the political class to retain the oldies and prevent the youth from electing their own. Such a move would be in bad taste, and the Kenyan youth will be watching.

Mr. Deputy Speaker, Sir, this Motion wants to ensure that all people vote and exercise their democratic right. It is part of the reforms agenda. It is a part of a desire by the Kenyan nation to look at its democratic credentials to ensure that each and every member of the society has the capacity to cast their vote so that when we declare the final winner of a Presidential election, Parliamentary election or a Civic election, we have someone we know, and as observers say, represents the will of the people. Are you going to tell us that whoever will be elected, we who are sitting in this House will say, represents the will of a segment of our population? We want each and every member of our society to participate fully in the exercise of their democratic right, which means voting leaders that they want and respect and who have the confidence to deliver.

Perhaps, this will also help us in containing some of the post-election violence. Maybe some people did not even vote and they do not know whether you voted properly or not. That brings confusion in their minds. That makes them vulnerable to political machinations. However, had they exercised their right properly, then maybe the skirmishes would not have taken place. This is an obvious matter. I do not need to belabour the House on such a matter because each and every Member here would have wanted as many votes as they could have got. However, they are constrained by lack of identity cards among our people.

In northern Kenya, sometimes we have to dig deep into our pockets to ferry officers to issue those cards to our people. That is not our job. We want, in terms of accountability and transparency, the Government to pay for the services it has promised Kenyans. Hon. Members should carry out other duties and not pay allowances to officers to go and take pictures and to ferry them to areas where people need to acquire identity cards. We want the Minister to *sambaza* the identity cards to all Kenyans.

With those few remarks, I beg to move and request Mr. C. Kilonzo to second the Motion.

**Mr. C. Kilonzo:** Thank you, Mr. Deputy Speaker, Sir. I wish to second this Motion. Kenyans carry too many documents. An average wallet of a Kenyan contains an identity card, a voter's card, automated teller machine cards and business cards among others.

**An hon. Member:** A party card!

**Mr. C. Kilonzo:** I am also reminded of a party card, more so if you are a former KANU man!

Mr. Deputy Speaker, Sir, the cost of producing identity cards and voters cards is very high. It is only fair that the Government reduces the expenditure and effectively combines the two documents. The additional information required in the identity card is the elector's number and the constituency. During voting time, it is even more interesting. Before you vote, if you have your voter's card you are asked for your identity card, if you do not have the identity card, you cannot vote! In the first place, when you were getting the voter's card, they asked you for your identity card and if you did not have it, you would not have been given a voter's card.

Let us save money and time. Let us reduce unnecessary expenses on the Government. Let us combine both documents. As far as we are concerned, there is no reason why we should not do that. If you look at the way the Government issues identity cards, you will observe that it does so after people have made noise complaining that the youth do not have identity cards. The Government then waits for you to complain again that the youth do not have electors cards, which they take time to give.

In Western countries, the information carried in those two documents is one. If you have an identity card, then it also serves as a voter's card. That is in countries which use identity cards. In other cases, even a driving licence suffices.

This is a very clear Motion which should not raise any controversy. We are the ones advising the Government. The Government is saying it has no money and we are now showing it how to save. One way of saving is to combine the information on those two documents and produce one document.

We all know the problem with our Government. Since the time this Government was able to meet the Recurrent Expenditure by collecting taxes, innovations or ideas disappeared. Yes, we know that you are doing a good job by collecting taxes, but let us think. As we collect taxes, what other savings can we make in terms of expenditure? That is very simple. One of the easiest ways is to combine these two documents. If this is agreed upon, there is no reason why we cannot do it. If it is the issue of legislation that is a problem, bring it here and we will change it. If it is the issue of policy, bring it here. As far as we are concerned, a debate on this Motion should take very little time.

With those few remarks, I beg to second.

*(Question proposed)*

**Eng. Rege:** Thank you, Mr. Deputy Speaker, Sir. I would like to support the Motion and go a little further than that. The Minister is a lawyer. Although he sits in the office, he is a very efficient man. Instead of combining the two documents into one, I suggest that the document be

made electronic in order to support all Kenyans everywhere in the whole world. Kenya is an ICT savvy

country to date and, in fact, we are going to the villages in the countryside with what is called "digital villages." We will also have ICT centres in District Commissioners' offices to allow Kenyans to access the Central Government electronically. I suggest that we make an identity card that is purely electronic. The whole world is moving towards that direction.

If we made it that way, we would also avoid the problem we witnessed in December during the elections, of tampering with votes. If we tamper with electronic voting, it is very easy to note. In fact, very few people can be allowed to make any alterations in the electronic voting system. For that reason, I suggest that the document be made electronic even though it can be read physically. Everything can be embedded in the document to make it readable electronically and also physically. That document should be used everywhere including to enter Parliament. One should be able to swipe it to identify himself and gain entry into the building.

I beg to support.

Thank you.

**The Assistant Minister for Medical Services** (Mr. Mungatana): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

At the outset, I want to congratulate hon. Ethuro for bringing this Motion once again. I support it. First and foremost, it makes sense to cut costs in this Government. As the hon. Member was speaking, I remembered that I have my identity and my voters cards here. If you look at these documents, you will realise that the voter's card is basically an extraction of information from the identity card. They have only added an elector's number on the voter's card. The rest of the information on the voter's card is similar. The elector's name is my name. The identity number is the same one they took from the identity card. The constituency details are the same. It is the same thing. They just replicated it. Even as we smile or laugh about this, it is a very serious matter and it has cost us millions of shillings. The process of procurement alone, for the identity cards, is worth millions of shillings. The same thing happens with the elector's card. Why do we have to pay double? If there is one thing that the Minister needs to *pambana* with very quickly, it is this issue.

Mr. Deputy Speaker, Sir, this Motion also brings to bear the need for our country to move from where we are to new technological advancement. Hon. Rege has talked about electronic identity cards. What needs to appear on these identity cards needs to be linked to the national database. This will be the first step towards getting proper information in this country if the Minister can take up this Motion and start working on a proper national database. The national database needs to be used for purposes of keeping all the necessary information on every citizen, so that the new document will reflect the proper records. The national database should be linked to provide proper records even of the births of children in the rural areas. It should also provide records of deaths of children and adults in the rural areas. The national database should be upgraded all the time. I do not know what we will call it because it will contain the identity card and the elector's card. They will come up with a new name when they are thinking about it. This document needs to be linked to the national database where all our information will be stored.

That database should not be made available to every person. We should be assured of our privacy, so that when the Government needs to deal with us on official matters, it can deal with us, but not everybody should be allowed to have access to that kind of data. It should only reflect something like where we live, our telephone numbers and our districts. The issue of giving one's tribe is very unfortunate. It should not be reflected because it takes us back to those days that we do not want to go back to. Another thing is that there is the question of the security of this new document that we propose to create. We have had problems with the Kenyan identity cards being used by criminals for illegal purposes. Again, as they create this new document, it is important that



proper security mechanisms must be introduced to it.

Finally, I want to talk about the procurement of this new document. We would pray that with the new administration in that Ministry, there will be honesty and openness in the procurement of the identity cards. We have had cases, and we have mentioned them in this House, about the procurement of identity cards. Questions have been raised in this House. We pray that this new document will be properly procured. The Minister should agree with us to cut down the cost, so that we do not have to go through these two processes.

With those few remarks, I strongly support this Motion.

**Mr. Affey:** Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Motion on this very important matter. First of all, I want to thank the hon. Member for moving this Motion. I want to let the Minister know that the intent of this Motion, in fact, will make his work much easier. At the moment, as you know, the issuance of identity cards and passports is under one department. Initially, they used to be in two different Ministries. The fact that the Minister is running these two dockets under one Ministry makes it very easy for him to implement the intent of this Motion.

For us from the northern part of this country, this debate will not stop in the House. This matter is so fundamental to the survival and the existence of the people in northern Kenya as Kenyans. If there is one issue that disturbs the people of northern Kenya it is the fact that they want to be Kenyans yet, by mere regulations, they are being denied the acquisition of the basic documents of being Kenyans. This matter will definitely come up before the Truth, Justice and Reconciliation Commission once it is set up. We believe that the rights of the communities in northern Kenya have been violated in subsequent years. To combine these two documents, as the Mover has suggested, makes it quite easy for the pastoral communities to maintain one set of documents.

Mr. Deputy Speaker, Sir, it is not that we are few in this country. There has been a claim that the communities that live in the marginal parts of the country are fewer in terms of population. The population census is not conducted properly and the identity cards are not issued properly. So, how do you know that the population in northern Kenya is less compared to other parts of Kenya? These documents are not issued the way they should be issued in northern Kenya. I have seen university graduates who are still struggling to get identity cards. Even after they have finished their university education, some of them cannot get jobs because they do not have identity cards.

During the voting period, a time when everybody is prepared to perform a constitutional duty, quite a number of our people at home are not able to vote because, perhaps, they have misplaced their voting cards or they do not even have the identity cards which allow them to get the voting card.

It is important, therefore, to create mobile registration centres for the pastoralist communities. This is because they move from one place to another and we need to move with them just the same way we have requested for mobile schools. If that does not happen, we would deny pastoralists their basic constitutional right to be Kenyans and to vote. I know that the hon. Minister is proactive and I am sure that this is one thing that would be done fairly quickly.

Secondly, Mr. Deputy Speaker, Sir, the hon. Mover spoke about combining these documents, which we all support, but we have serious problems with the issuance of identification cards because they are not decentralised. When applicants register somewhere at the border, they have to wait for their application forms to be sent to Nairobi for processing. I have seen a pastoralist who has registered for an identity card more than seven times. He has an interim certificate and yet he has no identity card. So, we want the issuance of identity cards and passports to be done at the constituency level. That way, we will decentralise those services. The more we expand these services, the more we create a network of corruption and brokerage systems. Some

people register at the constituency level and do not get their identity cards. Therefore, I would like the hon. Minister to decentralise the issuance of these vital documents and to combine them, so that we acquire them legally.

Mr. Deputy Speaker, Sir, the other very difficult issue is the vetting system. If you want to acquire an identity card in northern Kenya, and particularly in North Eastern Province, as it is currently, you need to provide the birth certificates or death certificates of your great, great grandparents. This is something that other Kenyans are not subjected to. I know the Minister is aware of these issues because, as a lawyer, he has represented many of us in court. We need to stop these bureaucracies. The moment somebody identifies himself as a Kenyan, and particularly students, who have completed their secondary school education, they should be issued with these documents immediately.

The other bit the Minister needs to handle is the aspect of corruption. I said that there are cartels in this country who professionalise in the issuance of identity cards and passports outside the norms of Government. The Minister must find ways and means of cracking down on this vice. Otherwise, Kenyans will continue to suffer while these services are supposed to be provided at a minimal fee for passports and at no fee for identity cards.

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

**The Assistant Minister for Education** (Mr. Mwatela): Thank you, Mr. Deputy Speaker, Sir. This subject is actually long overdue. I would like to thank hon. Ethuro for bringing this matter to the Floor of the House.

Mr. Deputy Speaker, Sir, I come from a border district. When it comes to securing identity cards, border districts have specific difficulties. For example, a person who was born in my district and shifted to Nairobi to attend school will encounter a lot of problems when he attains the age of 18 years. He will not be able to get that document here in Nairobi. He will be forced to travel back to his rural home to get the authority of his assistant chief and chief, who probably might not know him. I think we need to streamline the issuance of identification cards in our country.

Mr. Deputy Speaker, Sir, the idea of combining the documents is attractive in many ways because it will also cut down on costs. It will also help us to keep records that are easily accessible. These records would help us to track down criminals. I would suggest that we should start with registration of births. When one attains the age of 18 years and needs an identity card, or a voter's card, there has to be a correlation between the records of the birth certificate and that of the identity card and the voter's card.

Mr. Deputy Speaker, Sir, this documentation would also help the taxman to keep accurate records of people who have attained adulthood, who are employed and are ready to pay taxes. It will also be helpful to our health department, because the same documents would be used in our hospitals to track down what is happening in our health sector. When the Ministry makes arrangements for this process to start, they should take into account the issue which has been alluded to by hon. Mungatana; that is the question of procurement of goods and services. Very many times, we have very good ideas but when it comes to procurement, because people want to "eat" through procurement, we end up getting shoddy business being done. So, we would like the Minister to be very alert and transparent, when it comes to procurement of goods and services so that we get the best quality and value for money.

Mr. Deputy Speaker, Sir, in a country like the USA, for the police to track down a speeding driver, they would only need to enter the registration number of the car into their system and they would get the bio-data of the driver, the owner of the vehicle; where the person comes from and where he works. We need to get there. We cannot get there unless we combine our records into one single item.

Mr. Deputy Speaker, Sir, with that contribution, I would like to support hon. Ethuro's

Motion.

**Mr. Ruto:** Thank you very much, Mr. Deputy Speaker, Sir. I wish to support this noble idea of combining these two documents. I think it is very important that we get one single document that would help us to do these particular exercises. I also want to suggest that the authority which will be charged with the responsibility of issuing those documents should be transferred from the Ministry of Immigration and Registration of Persons to the Electoral Commission of Kenya, hopefully, not the one which is headed by the current team.

Mr. Deputy Speaker, Sir, I know there would be a problem with the name like someone has indicated. But I think the Minister for the time being in charge of Immigration and Registration of Persons will find a name for it. I would advise him probably to consult hon. Michuki, because I think he knows how to juggle names and come up with one! He is an expert. I would only ask him not to consult the Ministry of Education because they have a problem with the English language and computers as we witnessed two weeks ago.

**An hon. Member:** And adding up!

**Mr. Ruto:** Yes, of course, adding up and doing average would be a problem. But I want to proceed---

**The Minister for Environment and Mineral Resources** (Mr. Michuki): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for hon. Ruto to mention my name in vain?

**Mr. Ruto:** Mr. Deputy Speaker, Sir, I actually gave him accolades for being an expert in juggling names! So, I have not, in any way, besmirched his name.

Mr. Deputy Speaker, Sir, I want to proceed and say that I wish to recommend further that the age when a child can get an identity card be reduced from 18 to 16 years. I want to say this because it is obvious, and all of us are aware, that it takes an average of 15 months to get an identity card. Therefore, our children should be allowed to start that process at 16 years. By the time they reach the age of 18 years, the identity card would have arrived, unless we start registering them in our villages.

Mr. Deputy Speaker, Sir, I also want to request-- No! Not to request! I want to suggest that some of the requirements that are necessary before you are given an identification (ID) card be done away with. For example, a school leaving certificate. It is not yet mandatory for all our children to go to school. It has not even been possible for the Ministry to provide education for all! Therefore, what do we mean when we tell everyone: "If you want to register as a Kenyan, bring a school leaving certificate?" What is that requirement meant to achieve? I want to say that, that particular requirement be done away with. It will also help us to avoid crash registration programme for voters. The registration body will have that information continuously. There is no need to wait until we advertise that we now want to register voters.

Mr. Deputy Speaker, Sir, I think this is a very good idea and I am sure that the Minister, for the time being in charge of this process, will support it, unless, of course, hon. Kajwang has already forgotten the problems that we face in registering voters in our various places. Unless we combine those two documents, we might very soon find that one department is in another Ministry or a new Minister has been appointed to be in charge of ID cards and another one in charge of driving licences. With the proliferation of Ministries, I think we need to move fast, combine those things and put them under one roof.

**An hon. Member:** Immigration and voter registration?

**Mr. Ruto:** Mr. Deputy Speaker, Sir, yes! With those few remarks, I beg to support.

*(Applause)*

**The Minister for Gender and Children Affairs** (Ms. Mathenge): Thank you, Mr. Deputy

Speaker, Sir. I must commend the hon. Member for bringing that issue up. It touches on everybody, especially on the eve of elections. That is when everybody panics and starts looking for voters cards and ID cards. If we are going the electronic way, we can register all the births. The Ministry should have a duty of tracking them down when they attain the age of 18 years. They should then be issued with ID cards and voters cards as they leave or after they do their Form IV examinations. We should be able to track those who have not gone up to Form IV and ensure that they have their ID cards and voters cards.

Mr. Deputy Speaker, Sir, the issue we have occasionally is with regard to ladies who are in "come-we-stay" arrangements. They have not gone to churches and, therefore, they do not have marriage certificates. To get an ID card, they will need an affidavit or their fathers' ID card and authority so that they can take the husband's name. We need to overcome that hurdle because those affidavits, as we all know, are rather expensive, and most people do not want to be involved with them.

Mr. Deputy Speaker, Sir, the other thing I would like to point out to the hon. Member who has brought the Motion: We know that if you are a registered voter in a particular place, you have to change your voter's card in order to be registered in another place. How is it going to work when you have the ID card and voter's card on the same paper? Are you going to be able to vote wherever you are? Are you going to have the ID card changed every time you want to change where you vote? So, you need to look at that issue.

Mr. Deputy Speaker, Sir, the other thing we need to add on the ID card is the Personal Identification Number (PIN). Today, you cannot do any transaction without the PIN number. I would suggest that this is another number that should be added to the ID card and voter's card.

Mr. Deputy Speaker, Sir, I support the Motion, but I think those are the things that need to be looked into.

Thank you, Mr. Deputy Speaker, Sir.

*(Applause)*

**The Member for Kitui South** (Mr. Isaac Muoki): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity. Since I am contributing for the first time in the Tenth Parliament, I would like to introduce myself as Isaac Muoki, the Member for Kitui South.

Mr. Deputy Speaker, Sir, I would like to support this Motion. If you look at the Kenyan situation, you will find that we have so many documents in our wallets. We have ID cards, voters card, driving licence, PIN card and so many other cards. If we went further and combined those documents, it would be easier for us to carry a single document that can do all that process.

At the same time, Mr. Deputy Speaker, Sir, you will realize that there is a lot of time-wasting in the issuance of ID cards. We have experiences and instances where people have taken three years or more just to get an ID card. We also have even more serious cases where students who have finished Form IV do not have ID cards. They cannot be enrolled in colleges or recruited into the armed forces. Therefore, they forego such chances and, maybe, by the time they get those documents, they are past the recruitment age and, therefore, it becomes a lost opportunity the youngsters in the country.

So, Mr. Deputy Speaker, Sir, at the same time of combining those documents, I would also like to urge the Minister in charge of registration of those documents for the time being, to ensure that we have a quick process such that those ID cards can be given instantly. I remember that when we were changing from the old ID cards in 1979 to the new generation ID cards, we were getting them instantly. So, if there can be a way of issuing those cards at the location instantly, it will ease the whole process. With a chain of cards where the assistant chief, chief and the district officer

have to sign, that process is exposed to corruption. Therefore, you will find that the process is not moving. So, with that kind of arrangement, we can have a document that is issued instantly. That will solve all the problems.

Mr. Deputy Speaker, Sir, we also have another problem of registration, especially with regard to the married women. You will find that they are required to swear an affidavit. Some areas are very far from the courts or the lawyers. Therefore, somebody will have to spend so much money to go and see a magistrate or an advocate, come back and through that process, some of them even opt not to get the ID cards. Therefore, they miss that chance. So, we need to have an arrangement that will not require magistrates and advocates. I am sure that the chiefs and assistant chiefs know everybody in the village. They should be used as a quick way of issuing those cards.

Mr. Deputy Speaker, Sir, it will also be very important for students to get ID cards when they leave secondary schools. That way, as they go out, they are Kenyans. They can participate fully in those processes. That will ease a lot of problems that our youths are going through. You will realize that most of our youths never voted during the last elections, not because of the voter's card, but the problem was with the ID cards. So, if the students had been issued with ID cards instantly, they would have obtained their voter's cards and, possibly, the voting pattern would have changed because, maybe, the youth would have voted differently and, possibly, that would have indicated a different voting pattern.

So, Mr. Deputy Speaker, Sir, I am urging the Minister to quicken that process, so that Kenyans could enjoy having those documents.

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

**The Member for Kuresoi** (Mr. Cheruiyot): Mr. Deputy Speaker, Sir, my names are Mr. Zakayo Cheruiyot, Member for Kuresoi. Whereas it looks like this Motion is well-intended, I would like to give a caution. We must be careful about the so-called "big brother" whereby the Government requires so much details about an individual, which makes us lose our privacy. We must be careful about that. We do not want to subject our citizens to identifying themselves every time they turn. We must allow them certain freedom. We know they listen and want to see us everywhere, but we must be careful, so that we do not end up subjecting our people to too much harassment by way of them identifying themselves.

With those few remarks, I would like to oppose.

**Mr. Olago:** Mr. Deputy Speaker, Sir, I stand to support the Motion. I think it is long overdue. The *kipande* has come a long way. When I look around this House, I am sure that the only person who is qualified to tell us about the *kipande*, from the metallic days to now, is Mr. Michuki. What we are asking to be done is going to call for a lot of legal draftmanship, and that will mean looking very carefully through the Registration of Persons Act, the Immigration Act and the Electoral Commission of Kenya Act, so that all of them are harmonised either into one Act or into two Acts. It would have been a good thing if the Attorney-General himself was here to listen to this contribution. What is happening on the ground now is that even as the Registration of Persons Act stands now--- What has been introduced is illegal and is very prevalent not just in northern Kenya but even in other areas of the country, particularly areas occupied by muslim communities; this is the vetting system. It is discriminatory and is not provided for in the Act, yet the Assistant Chiefs, Chiefs, the District Officers (DOs) and District Commissioners (DCs) enforce it. If you bear islamic names, then you will not get an identity card until you go through the vetting process. The vetting process is not in the Act, and is not provided for in the law. What is important now is that in areas such as Kisumu, where I come from, Muslim- occupied areas like Nubian, Manyatta, Kaloleni and Mukendwa there is an outcry. You will find that Kenyans who are over 50 years old, who are Muslims, who do not know whether they are qualified to be Kenyans, Somalis or people of other countries, because they cannot access this document. It is very important that we

harmonise all the laws relating to the registration of persons. The views that we have heard this morning in the House should be taken seriously. If this Motion is passed, then Kenya will be a much better place for all of us.

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

**The Assistant Minister for Regional Development Authorities** (Mr. ole Metito): Mr. Deputy Speaker, Sir, I also rise to support this Motion. A lot has been said about the similarities and the differences between the two processes, the process of acquiring an identity card and that of acquiring a voter's card. Let me just have a quick look at the those two processes.

First, I believe that a voter's card is free. Secondly, its issuance is regular, continuous and is known. The Electoral Commission of Kenya (ECK) always undertakes registration every month of May of the year, that is from 1st to 31st of that month. The places of issuance are also known. There are 20,000 registration centres in this country, as far as voter's cards are concerned. Thirdly, it is also instant; you get it there and then and there is no corruption in getting it.

This is different from the process of acquiring an identity card. First, you do not even know when to get it, because there is no specific time or month. Secondly, it is not free. In fact, it is very expensive to get an identity card. I remember that last year the fees of Kshs50 was waived. That was the only receipted amount when getting an identity card, but in some instances some of our people use more than Kshs1000 to get an identity card, because of the distance they travel and the people they find in offices, who are very corrupt. Thirdly, there are things that are required like a birth certificate. I want to say that even now, especially at the border district where I come from, officers are even asking for the title deeds of the land you own! That happens, especially, when the identity card of one of your parents indicates residence of a different district from where the applicant comes from. You are asked to bring the title deed of the land your parents own.

The vetting process is that the Provincial Administration, that is the assistant chiefs, chiefs and so on, have formed vetting committees who are appointed by themselves. Those committees are the dens of corruption. The other problem is the distribution process, that is the way the identity cards are taken to their owners. If they are given to the Assistant Chiefs or the Chiefs, they never reach the owners. The Provincial Administration has become very political, and the area Assistant Chief, or the Chief, receives the identity cards of the people from his sub-location or location. They know them very well, but they withhold the cards until the registration of voters is over before they can give them out, because of perceived political affiliation. If we try to put all the information into one document, it ill be good that we try to simply the process, make it regular and harmonise the Acts, and have the process under one roof. I do agree with the proposal that issuance of the document be managed by the ECK, and not the Ministry of Immigration and Registration of Persons.

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Prof. Kaloki) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, a lot has been said about the savings that the Government is going to make in terms saving time, documentation materials and even money. I want to say that the other problem with identity cards is the availability of the application forms. I remember that at one time we were told on the Floor of this House that application forms were prepared in France. I am a computer person and I was wondering if that could not be done in Kenya. People like saying that documents are prepared abroad due to security reasons, but I do not think that is true. In fact, that facilitates corruption. I would like to say that we should simplify the

process, make it regular and make it known to all Kenyans. Kenyans should know when and where they can acquire identification documents, which are very important and should not be denied to any Kenyan.

With those few remarks, I beg to support.

**Mr. Farah:** Mr. Temporary Deputy Speaker, Sir---

**The Assistant Minister for Public Service** (Maj. Sugow): On a point of order, Mr. Temporary Deputy Speaker, Sir. Immediately Mr. Deputy Speaker left the Chair, I saw him consulting you and you immediately gave him a chance! I do not know what transpired, and why you have given him priority.

**The Temporary Deputy Speaker** (Prof. Kaloki): Hon. Member, you are obviously out of order. We consult on other business issues. Please, proceed, Mr. Farah.

**Mr. Farah:** Mr. Temporary Deputy Speaker, Sir, I do not know why Maj. Sugow would want me to be gagged in this House.

I support this Motion. It is important that we have fewer documents, and it is also important that we take into consideration the number of man-hours we use every time we have to go for these documents. We spend hundreds of man-hours and we lose so much. If that could be converted into capital, this country would be a First World country. But because we spend a lot of time in trying to get those documents, we are losing a lot. It will be very important for them to be combined into one.

Mr. Temporary Deputy Speaker, Sir, with the reforms that this country needs to go through, it is important that we are on the cutting edge of technology in a manner that, essentially, we cannot industrialise and become a First World country. We cannot achieve our Vision 2030. I congratulate the new Minister who has been appointed to that docket. But I want to tell him that every ill in the Kenyan society is in the Registration Department of his Ministry. It has the highest corruption because nobody gets an Identification (ID) Card without paying something. It has discrimination against the Constitution of this country. We have a provision in the Constitution of this country that prohibits discrimination. If you go to seek an ID card and you are a Luo born in Kisumu named Mr. George Otieno, you will have far less problems getting that ID card than if your name is Musa or Mohamed Otieno. The moment that Islamic name is there, then it becomes a different ball-game altogether.

Mr. Temporary Deputy Speaker, Sir, it is easier, sometimes, for foreigners to get those papers than Kenyans, because they will be prepared to pay a lot of money for them. We have a problem in North Eastern Province. It is also used for political purposes. In my strongholds in my constituency, the people who were charged with the responsibility of registering the people as far back as 2005 and 2006 were prevailed upon, corruptly, to make sure that the process of issuance of ID cards was not done in those areas until after the elections. There is a division called Liboi in my constituency. There is also a location called Amajale. The number of people who were able to vote in the last general elections was less than 15 per cent of the potential ones. Every time they go there, they make sure that they come back from that place without registering those people. They have done it now and again.

Mr. Temporary Deputy Speaker, Sir, there is a tendency to send--- It is a department that has almost a total exclusion of certain communities in this country. If you go to the Department of Registration of Persons, you will hardly see somebody from North Eastern Province. You will not see a Pokot. You will have a problem seeing a Turkana or a Maasai. It is a very bad situation. Consequently, the people who are suffering most are also those ones. Muslims, of course, is a different ball-game altogether. The moment you are a Muslim, you belong to another country.

Mr. Temporary Deputy Speaker, Sir, I agree with what an hon. Member said sometimes back. Be careful of the big brother at times! That is because I had an intention initially of saying

that we might even want to put in a sensor. Like the poor young man who was killed while working with the Constituencies Development Fund (CDF). He was doing a very good. If we had a sensor in his ID card, we would probably have known where he was killed. The same can apply to people who get lost. If we can put also a small sensor chip--- Much as the "big brother" issue is there, we cannot afford to be left behind because the rest of the world is going there. It is the same way you can be located using your own mobile phone. If you remember our very courageous and gallant pilot Maj. Nyanjui of Kenya Wildlife Service (KWS), he survived in the slopes of Mt. Kenya. It is through his mobile phone that he was finally located. With that, it is possible, maybe, that we can look at the cutting edge technology and see whether we can have a chip in the event of a disaster--- Like the kind of disasters that we have had in the country here, where a whole house collapses and we do not know how many people are buried under. If we could have that kind of a technology - a kind of chip in the pockets of Kenyans over 18 years, then it would be easier for us also to respond to some of the disasters and save our own people. So, that is another technology that the Minister can have a look into.

Mr. Temporary Deputy Speaker, Sir, the Minister has a big task to perform. He is also a big man, both in size and mind. He has also "*pambanad*" for a long time. Please, let us see that *mapambano* bring in the right kind of reforms to his credit. I will credit what Minister Michuki, who is right in front of me here, has done in every Ministry that he goes to. We want to see that kind of performance in your Ministry too.

(Applause)

I beg to support the Motion.

**The Assistant Minister for Lands** (Mr. Rai): Bw. Naibu Spika wa Muda, naomba pia niungane na wenzangu ambao wamekata shauri kuiunga Hoja hii mkono.

Bw. Naibu Spika wa Muda, nataka kwanza kumshukuru Bw. Ethuro kwa kuleta Hoja hii katika Bunge hili. Mimi nawakilisha watu katika sehemu za mashambani. Ni jambo la kusikitisha kwamba watu hao wameteseka kwa sababu ya mambo haya ya vitambulisho kwa muda mrefu. Kama tungekata shauri kwa kauli moja kuipitisha Hoja hii, labda tungepunguza ule msongamano wa matatizo yanayowakumba watu wetu. Utakuta kwamba kuna baadhi ya watu ambao wamefika umri wa kuolewa na wanakaa mpaka wanazaa watoto wakiwa bado hawajapata vitambulisha, kwa sababu ya yale masharti ya kupata vitambulisho pekee yake. Kwa hivyo, tungeweza kukata shauri na kusema kwamba kitambulisho kinaweza kutumika na kufanya kazi zote mbili, nafikiri tutakuwa tumepunguza msongamano, kazi nyingi na pia hata gharama.

Lakini, utakuta kwamba ni swala la Serikali kufikiria umuhimu wa Hoja hii kuletwa katika Bunge hili. Tusipofikiria kwamba mambo mengine tunayafanya yanatuongezea gharama sisi wenyewe, itakuwa ni hasara kwa nchi hii vile vile.

Bw. Naibu Spika wa Muda, Hoja hii imekuja kwa wakati ambapo tunahitaji kuweka maanani na kujua kwamba, katika kusambaza vitambulisho katika sehemu za kule mashambani, maofisa wa usajili wa watu wawekwe katika Wilaya. Wakati huu, tungefikiria kwamba maofisa hao wawekwe katika kata dogo zetu. Wanafaa kuwa pale kutoka Janauri mpaka Desemba wakifanya kazi ya kupeana vitambulisho kwa watu wetu. Ni swala la kusikitisha kwamba mtu anaweza kuchukua zaidi ya miezi sita kupata kitambulisho, ilhali ni mtu amezaliwa mahali fulani na anajulikana kwa majina. Lakini kama vile Bw. Naibu wa Spika alisema, kwa sababu ya majina peke yake, inakuwa ni swala la kuambiwa kwamba eti kuna kitu kinaitwa *vetting*. Sasa mtu amezaliwa hapo na anajulikana kwamba ni Mkenya---

Lakini utashangaa Bw. Artur Margaryan alipokuja hapa, hakufika katika Wizara ya Uhamiaji na Usajili wa Watu. Lakini alipata pasipoti. Hilo liliwezekana. Lakini kwa Mkenya



kupata kitambulisho ambacho kinajulikana kwamba ni haki yake na kinaweza kumsaidia yeye kufanya mambo yake na kujisadia kwa mambo mengi tofauti tofauti, inakuwa ni kazi ngumu. Huwezi kufanya jambo lolote, kuuza au kunua chochote wakati huu bila kitambulisho na *Personal Identification Number (PIN)*. Hili swala la kusema kwamba ni lazima eti uwe na kadi ya uchaguzi ni ya maana gani? Nambari ya kitambulisho inakupa usahihisho kwamba wewe ni Mkenya na unastahili kupiga kura. Hii kadi nyingine ya pili ni ya kazi gani? Haya yote ni watu kujiongeza mambo ili wapate kujinufaisha. Ndiposa unakuta kwamba, mara kwa mara, unaambiwa pasipoti zimeagizwa kutoka nje ilhali watu wamekula pesa. Vitambulisho havipatikani! Vimeagizwa kutoka nje lakini watu wamekula pesa. Mpaka lini mambo haya yataendelea? Utaambiwa kwamba watu wamekuja kutoka wilayani ili kuwasajili watu. Lakini inawachukua mwendo mrefu kufika katika lokesheni. Watafanya kazi masaa matatu peke yake. Sasa, utakuta kwamba inapofika wakati wa uchaguzi, kuna msongamano wa watu wanaotaka kuchukua vitambulisho na haiwezekani!

Bw. Naibu Spika wa Muda, wakati mwingine, kwa sababu ya kutojua, watu wetu hawatilii maanani kwamba kuna umuhimu wa kuchukua vitambulisho. Wakati mwingine mtu hukata shauri na kusema: "Kuna haja gani ya kuwa na kitambulisho? Ninajulikana mimi ni Mkenya; wacha niishi tu!" Mtu kama huyo atakaa hivi mpaka alazimike kuwa na kitambulisho. Sheria inazidi kuongeza masharti kwa kusema kwamba ni lazima mtu huyo aende akachukue hati ya kiapo. Hii inamaniisha ni lazima atoke kwake aende mahakamani. Mtu kama huyo hajui mambo ya mahakamani. Ukimtajia mahakamani, ataona kwamba ni mahali ambapo panashtakiwa watu. Mambo yakifika kiwango hiki anasema: "Nimeachana na mambo haya".

Bw. Naibu Spika wa Muda, naomba Wizara iwasaidie watu wetu ili, kwanza, wapate kujua njia rahisi ya kupata vyeti vya kuzaliwa, hasa wale ambao hawakujaliwa kujifungua hospitalini. Tume kuwa tukijenga zahanati katika *location* zetu ili watu wapate kujifungua katika zahanati hizo. Tumejenga zahanati nyingi na hakuna wafanyakazi wa kutosha. Sasa, tutazipata kwa njia gani karatasi za *notification of birth*? Imekuwa ni shida kupata cheti cha kuzaliwa na kujua miaka. Mtu anaambiwa akitaka kitambulisho ni lazima umri wako ukadiriwe. Eti mtu akakuhesabu meno ili ajue miaka yako ni mingapi! Hayo yatakuingia akilini? Hata DO akiwa pale anaweza kukuhesabu meno ili ajue una miaka mingapi! Pia unaweza kuambiwa uende kwa daktari. Daktari naye anahitaji senti. Ukitoka hapo unaambiwa uende kortini. Huko unahitaji Kshs1,500 za hati ya kiapo. Ni nani atagharamia mambo hayo yote?

Bw. Naibu Spika wa Muda, kazi yetu kubwa ni kusema kwamba vitu ni vya bure. Tunasema tumepunguza hiki na kile. Lakini mzigo unautoa kichwani unauweka begani. Hujamsaidia mwananchi ukifanya hivyo! Bado angali na shida. Wakati umefika kwa Hoja hii kupitishwa kwa kauli moja, na Serikali ikimbie kwa haraka iwezekanavyo ili kuhakikisha kwamba Hoja hii imekuwa Sheria ili watu kule mashinani waanze kupata vitambulisho. Wakati wa kupiga kura utakapofika, hatutaanza kukimbizana tukitafuta kadi za kura. Hoja hii ikipita mtu ataweza kutumia kitambulisho peke yake kupiga kura. Namba ya kitambulisho itatosha. Mtu hawezi kuwa na namba mbili. Mambo ulimwenguni yamebadilika na ni lazima pia tubadilike. Tusipobadilika mtu atatakiwa kuwa na kitambulisho, kadi ya kupiga kura, beji na juu yake picha. Mambo kama haya hayatatusaidia. Haja yetu kubwa ni kuchagua viongozi.

Katika nchi yetu kuna watu wasio na kadi za kura na hawawezi kupiga kura ingawa wamehitimu umri wa kupiga kura. Hii ni kwa sababu kadi za kura hazikuweza kupatikana kwa wakati uliofaa.

Bw. Naibu Spika wa Muda, naona wakati wangu umekaribia kuisha, na ningependa kumshukuru mwenye kuileta Hoja hii. Naomba sote tuiunge mkono kwa umoja ili Waziri aitilie maanani, na ajue kwamba Hoja hii itakuwa na manufaa kwa taifa hili. Namwomba Waziri atambue kwamba kuna umuhimu wa kuwatoa maofisa wanaofanya kazi katika sehemu za wilaya, na kuwapeleka mashinani ili bei ya usafiri ipungue. Kuwalazimisha watu wetu wakati wote kusafiri si

vizuri. Wakati mwingine watu huambiwa kwamba gari inayowasafirisha maofisa wa kutoa vitambulisho haina mafuta. Twataka Mbunge akaitie mafuta ndipo iende ikafanye kazi? Kesho ataambiwa kwamba maofisa hawana marupurupu. Itakuwa kazi ya Mbunge kuwatafutia maofisa hawa marupurupu ili wafanye kazi? Bajeti inaletwa hapa ya kazi gani? Itakuwa tunafanya kazi duni ambayo haiieleweki. Wakati mwingine hatuna majibu ya kuwapa wananchi, kwa sababu ukiwambia kwamba gari inayowasafirisha maofisa wa kutoa vitambulisho haina mafuta, ni kama kumpigia mbuzi *guitar*, kwa sababu hataelewa unamwambia kitu gani. Serikali imetenga pesa za kununua mafuta ya gari za Wizara. Wizara nayo yasema haikutengewa pesa za kununua mafuta. Sasa, tutauliza nani maswali?

Bw. Naibu Spika wa Muda, safari hii Wizara imepata mwenyewe. Tuna matarajio makubwa, kwa sababu Waziri alisema kwamba alipopata habari za kuteuliwa kwake alikuwa anapumzika, na hakutarajia kwamba angeteuliwa katika Wizara hii. Watu wengi huenda katika Wizara wakiwa na kusudi tu la kutengeneza pesa. Siamini kwamba Waziri huyu ameenda kutengeneza pesa. Alitengeneza pesa alipokuwa wakili. Sasa ameenda kufanya kazi. Tunatarajia kuona mabadiliko makubwa katika Wizara yake. Pia tunataka kuona msongamano wa watu ukipungua katika ofisi za Wizara hii. Tunataka kuona matatizo yanayowakumba maofisa mashinani yakipungua.

Bw. Naibu Spika wa Muda, kwa hayo machache, na unga mkono Hoja hii.

**Mr. Shakeel:** Thank you, Mr. Temporary Deputy Speaker. Although I have spoken before, I have never presented my maiden speech. May I take this opportunity to thank the voters of Kisumu Town East for giving me overwhelming support. I also wish to support the coalition Government. I, especially, thank them because we are now enjoying peace. Kisumu City, as you know, was very badly hit by the effects of the post-election violence. I do not want to revisit this matter, because it brings back bad memories. But we must note that one of the cities that were hurt most was Kisumu.

On the Motion before the House, there are many times when I have wondered what this identity card really is meant to do. It is a card that identifies you as a Kenyan. The difficulty is, of course, how people interpret this. Many people have carried with them the original identity card. Before I was born, I understand that people used to carry a *kipande* round their neck. They were not meant to lose it. Many people carry around their original IDs, but with the pick pockets that we have, many IDs are lost. Some of us carry photocopies of IDs. My assumption is that the photocopy ID is just a photocopy, but it identifies the person. If the police officers, or anybody else, have a problem with that they can verify it against the original.

We have great difficulties in Kisumu City, especially in Kondele, where somebody has lost his or her ID. Some of these people happen to have photocopies of their IDs. They sometimes have an abstract, but after 7.00 p.m. police officers use non-production of an original ID as an excuse to make money. They normally tell *wananchi*: "*Mbona mnaranda randa na nia mbaya?*" A lady may be going to buy milk and she is told that her photocopy ID is not good enough as an identification document. She may also be carrying her original voter's card and a licence, and she is told that none of them is good enough. She is told to get a passport. How is a lady in Kondele going to get a passport?

Mr. Temporary Deputy Speaker, Sir, I am happy that the Minister is here. I would like him to take note that there are people in this country who can get a passport more easily than they can get an ID. There are many people in this country who have passports and no IDs. When you go to vote you are asked for either your passport or ID. The principal reason for an ID card is to indicate that you are a Kenyan.

Mr. Temporary Deputy Speaker, Sir, I understand that an ID is a document someone keeps. It is not to be taken away from you by anybody, not even by the police or anybody else. If you visit

certain buildings and you do not have an original ID you will not be let in. Security officers will take your ID and give you a piece of paper or something else to allow you get into the building. I think that is illegal. I would like the Minister to issue a statement on this matter.

Mr. Temporary Deputy Speaker, Sir, I support the idea that the identity card (ID) and the voting card should be combined to serve as one document. An hon. Member has suggested that the PIN number should be put on that identity card. Due to ethnicity and the problems that we have experienced in this country, do we need to redesign the identity card to merely state that so and so is a Kenyan and born in such and such a place? The issue of somebody's birthplace should not be there because that is used for ethnicity purposes. Many passengers in *matatus* going to Kisumu from Nairobi have been stopped at Naivasha and asked to show their IDs. The moment they show their identity cards and it is revealed that they come from Kisumu, they are told, "*Toka nje*". The same applies to people coming to Nairobi from Kisumu. They are forced to show their IDs.

Mr. Temporary Deputy Speaker, Sir, So, the ID is being misused by people who are trying to promote ethnicity. It is also misused by the police and other authorities or people who have no right, whatsoever, to ask you for ID. For example, why should an *askari* manning a building ask you to show him your ID? All he needs to do is to make sure that you are not carrying a bomb or you are not up to something bad. He has no right to ask you to identify yourself! I think that is the right of the police and those people who think that you are carrying out an illegal act.

I would like the Minister to advise us on the issue of a duplicate or photocopy ID. Why can that not be carried together with, perhaps, an original driving licence? If you are stopped by the police, you can always take your ID to them, or the nearest police station, within 24 hours.

**Mr. Muthama:** Ahsante sana Bw. Naibu Spika wa Muda kwa kunipa fursa hii ili nami nichangie kwenye mjadala huu wa leo ambao ni muhimu sana. Ningependa kumshukuru mhe. Ethuro kwa kuleta Hoja hii ambayo ni muhimu sana.

Jambo hili la kuunganisha kadi hizi mbili ni muhimu sana kwa sababu kadi ya kupiga kura hutumika wakati mmoja tu baada ya miaka mitano. Ni jambo gumu mno kuiweka kadi hiyo katika hali inayofaa. Kadi hizi zinamilikiwa hata na watu walioko mashinani, hasa mashambani, ambao hawazingatii namna ya kuziweka. Kwa sababu ni kitu ambacho kinatumika mara moja baada ya muda mrefu, ni rahisi sana kukipoteza. Bw. Naibu Spika wa Muda, ni jambo la kusikitisha kuona kwamba baada ya watu kuhimizwa wajiandikishe ili wapige kura, wanasiasa fulani wamechukua nafasi hiyo kuwazuia watu fulani ambao hawawaungi mkono. Mara nyingi huwa wanawaendea makarani wanaoandikisha watu na kuwaambia watoe majina ya watu fulani. Huwa ni orodha ndefu lakini yule mtu akifika pale kujiandikisha, kwa sababu kile kitambulisho chake hakiwezi kutumika kupiga kura, anashurutishwa kurudi kwake yule karani aliyemsajili, tuseme, mara kumi. Yule mtu akirudi mara ya 11, atalazimishwa kutoa hongo. Utoaji hongo ni tabia ambayo kila Mbunge na kila mwananchi wa Kenya amejitoa mhanga kupigana nayo ili tuitoe katika fikira za Wakenya kabisa.

Kitambulisho kimeletwa na mkoloni na kimetumiwa kututusi sisi Wakenya. Mtu anaposajiliwa ili apate kitambulisho, yeye huulizwa eti ni wa kabila gani na anatoka wapi. Kinachobaki sasa ni mtu kuulizwa: "Kwa nini ulizaliwa Mkikuyu, Mkamba au Mkalenjin?" Hilo ni jambo la kuudhi sana! Utakuta kwamba ikiwa kuna mtu amezaliwa katika Mkoa wa Kaskazini Mashariki na angependa kujiandikisha katika Mkoa wa Nyanza, kuna maswali huyo mtu ataulizwa, kwa mfano: "Kwa nini wewe asilia yako ni ya Kisomali ama Kiturkana?" Mara nyingine watu huulizwa: "Kwa nini unakuja kujiandikisha hapa Kisumu?" Huyo mtu ataulizwa hayo maswali ilhali yeye hulipa kodi yake kwa Serikali na pesa hizo zinatumiwa katika kunafaiha Kenya nzima. Wakati mtu analipa hiyo kodi, haulizwi kwa nini anailipia mahali pale ambako hakuzaliwa!

Bw. Naibu Spika wa Muda, ni jambo la kusikitisha sana kwamba baada ya kupewa kitambulisho na mkoloni, tumeongezewa stakabadhi nyingine iitwayo *Passport*. Hii *Passport* inatolewa katika sehemu zilizochaguliwa kwa mapenzi ya watu fulani. Utakuta kwamba yule

Maasai ambaye amezaliwa Mkoa wa Bonde la Ufa na ni mkaazi wa Kajiado, analazimika kuja kuchukuwa *Passport* yake hapa Nairobi. Nauli ya kutoka anakokaa hadi hapa Nairobi ni Kshs400. Yule karani anayeshughulikia *Passport* ya huyo mtu--- Ningependa Bw. Mapambano, Waziri mwenyewe asikie. Yule mtu kutoka Kajiado akionekana, atalazimishwa kusafiri kila mara kuja Nairobi kutafuta hiyo *Passport*. Mwishowe, ataambiwa ikiwa anataka kukatiza gharama yake ya usafiri na kujipunguzia hasara, basi apeane hongo ya Kshs10,000. Huyo mtu anakosa la kufanya hasa akifikiria safari alizofanya kutoka Kajiado hadi Nairobi ambazo zimemgharimu kiasi cha pesa Kshs4,000. Pengine ameuza ng'ombe wake ili apate pesa za kuhongana ili apate *Passport*.

*Passport* ni haki ya wananchi na hawahitaji kuomba mtu ili wapewe. Aidha, si lazima *Passport* zipeanwe katika sehemu moja ya nchi hii. Tunataka zisambazwe kwa sababu katika kila mkoa na kata kuna wawakilishi wa Serikali. Watumishi wa Serikali ambao hawawezi kuaminika wafutwe kazi na wanaoaminika wapewe kazi hiyo. Matusi yamekuwa mengi kwa sababu unapewa kitambulisho na tena unaenda kutafuta kadi ya kupiga kura. Sisi kama wananchi na Wabunge katika Bunge hili tungependa kusema kwamba ni jambo la maana sana kuhakikisha kwamba kile kitambulisho tuliachiwa na Mkoloni--- Serikali imeleta kadi nyingine ya kupiga kura. Kwa hivyo, tutumie kitambulisho hicho hicho kupiga kura. Tusiwe na kadi mbili. Aidha, wakati wa kujiandikisha kura huwa inasingiziwa eti zile kadi zilizotumika katika kupiga kura wakati uliopita hazifai na sharti zibadilishwe. Mwenye kutoa wazo hilo huwa anatafuta hela katika Serikali. Yeye atachukua kile kikaratasi na kukifanyia mabadiliko madogo tu. Kwa mfano, atakikata tu kwenye upande mmoja ili ionekane kwamba kadi hiyo imebadilishwa. Pesa zinazolipishwa kufanya hiyo kazi ni maradufu ya zile zingetumika kihalali.

Mhe. Shakeel ameongea hapa kuhusu amani. Tunataka amani iingie Kenya. Ni matumaini yetu sisi kama viongozi kukaa kando na kuzungumzia maswala ya kikabila. Juzi, Serikali iliundwa na Mawaziri ambao ni watoto wa nchi hii wakachaguliwa. Wao wamefuzu na wana stakabadhi zao. Hata hivyo, bado sisi tunatoa maagizo huko nje na kusema kwamba sisi hatukupewa haki yetu. Haki ya Waziri kukaa katika ofisi siyo kupeleka ile bendera nyumbani kwake, katika Wakilisho lake au kwa jamii yake. Ie bendera ni ya kutoa utumishi kwa wananchi wa Kenya. Tusiendelee kufikiria kwamba utumishi kwa umma utawekwa kulingana na mahali ambako mtu amezaliwa. Ikiwa wewe unatoka sehemu fulani na watu wa sehemu hiyo wana vyeo, si lazima wewe ufaidike. Ikiwa kuna Waziri anayetumia Wizara yake kuwafaidi watu wa sehemu fulani, basi bendera hiyo ipewe mtu mwingine ambaye atawatumikia wananchi wote bila mapendeleo.

Kwa hayo machache, ninaunga mkono.

**The Temporary Deputy Speaker** (Prof. Kaloki): Thank you, Mr. Muthama. I now call upon the Minister to respond.

**The Minister of State for Immigration and Registration of Persons** (Mr. Kajwang): Mr. Temporary Deputy Speaker, Sir, first of all, I want to thank my brothers, Messrs. Ethuro and C. Kilonzo, who moved and seconded this Motion respectively. From the onset, I support this Motion.

I have listened carefully to what our brothers and sisters have said in this House today. I will later ask the Speaker of the National Assembly to give me the complete HANSARD of this debate, so that we may use it as a basis of the feelings that Kenyans have about the reforms that they need in the registration exercise, so that my Ministry and the other connected Ministries may look at this matter wholesomely and deal with it conclusively for the interest of all Kenyans.

Mr. Temporary Deputy Speaker, Sir, I thought that my brother, Mr. Ethuro was going to be much more imaginative and look at some of the limitations that we have in the current registration exercise. When the Registration of Persons Act was amended in this House in 1982, I happened to have come to this House as a listener. One of the salient points that were raised by the then Attorney-General (AG) was that the age of majority in Kenya is 16 years. That is the age at which an individual can make decisions. He can acquire property or sell your property.

However, the age at which you acquire the Identity Card is 18 years. In fact, the age of majority is 16 years to the extent that you can decide to marry at 16 years old. At that age, for purposes of marriage, you will not be considered a child, but the age at which you take the identity card is 18 years. So, one of the hon. Members in this House rose from the other side, which was the Opposition. It was during the one party era, anyway, but he rose from the other side and asked: "Why is there distinction between the age of majority and the age at which you acquire the identity card and the age at which you can vote?" Mr. Temporary Deputy Speaker, Sir, the AG then gave an answer, which was not very satisfactory, to me, at that time. He said he thought that at the age of 16, although you can make certain decisions, you cannot quite make a decision to vote this way or that way. So, I was expecting my brother to bring something more radical to this House - maybe, he will do so, at another time - to say that we should actually register our people when they acquire the age of majority, which is the age of 16. At this age, they can do whatever they want to do; whether they want to marry or acquire property, vote or travel.

In fact, you acquire a passport at an earlier age, if you want to travel. At the age of 16 years, you can travel to any country. I do not know why a person who can go to a foreign country unaccompanied by his or her mother cannot make a decision whether it is Mr. Kajwang or Mr. Ethuro, he will elect. So, that is one of the things I thought we could bring up, but because it was not the subject matter of this Motion, I will leave it at that. I can see that the Motion has now made us talk about many other things that were not specifically in the Motion, but which I think are good. Maybe, we will not have another time to debate this subject, in a long time, until another Motion is brought here.

Mr. Temporary Deputy Speaker, Sir, another thing has been raised, which to me, is very revolutionary. It has been brought by brother Shakeel. It is provided under Section 5(d) of the Act that some of the information you must give to the Registration Officer, when you are registering, are the following: Name in full, sex and the declared tribe or race. Note that the tribe is the "declared", and not necessarily the real tribe. Some people, like my children, happen to be both Luo and Luhya. They can decide which tribe they want to declare. But, really, why do you need somebody to say he is a Luo or a Luhya or Kikuyu? Why do you force him to choose between the mother's and the father's tribe? This is something which we can also debate in the larger context. What I have heard here seems to suggest to me that we need to get some committee to call people, listen to them and, really, come up with some of the issues that affect Kenyans on registration, so that we have a policy paper that can then guide us in bringing certain amendments to the Act.

Another thing was brought up by one of our debaters, I am not sure which one, but he said that, first of all, if you register at home, your chief would know you. They always sign your application papers. Maybe, an assistant chief or pastor who knows you better, will sign your application papers and then you are registered. The application form is brought to the National Registration Bureau in Nairobi, where it takes ages to be returned to the district. In fact, last time, my district had a bigger problem. People had to wait for their identity cards for one year. Some people could not travel because they were still waiting for their identity cards. They could not apply for jobs because they did not have identity cards; for a whole year. When we were doing the system that we now have, which is computerised, we thought that we were computerising, so that ID cards can come out quickly.

Mr. Temporary Deputy Speaker, Sir, I remember that when I lost my first generation ID card, which I took when I was at the university, I went down to Jogoo House, where there was a registration centre, and said: "I have lost my ID card". They asked me: "Where did you take it?" I did not even have the number of my ID card. I said: "I took it at the University of Nairobi." They asked: "Which year?", and I mentioned the year. They looked at the black book. They found my name. Within a minute, I was told: "Stand here. Take a photo. Sign here", and at the corner, I got

another ID card. Officers were so efficient when we were doing it manually. However, now that we have computerised, it has become a big problem.

In fact, if you were to go to the Registrar of Persons and ask for a replacement of an ID card, and they wanted to give you, they would just press a button. Your ID card, including your face, will be displayed on the computer screen. They can also press another button to print the ID card. So, they can give you the ID card in a minute or two. However, if you want to replace your ID, you will wait for one year. One of my brothers had to wait for one year and missed a chance to go to India. He was still waiting for his ID card. He lost one year of study.

So, these are some of the bottle-necks that have been brought about by bureaucracy and centralisation. I think an hon. Member was right when he said that we should decentralise the issuing of ID cards. What is so wrong with issuing the ID cards there, anyway. I got my first ID card in Mbita High School. I got it within 30 minutes. The registration officials just came. They knew that I was Otieno Kajwang. They knew my father. They gave me the ID card. Within 30 minutes, I had my clean red pass. I pocketed it. I was happy to have that ID card until it was replaced.

Now, it has become a little more difficult. Why? Because of centralisation and bureaucracy. They say it is because of security considerations. I do not think so. The chiefs represent the Government at the lowest level. They are officers of the Government and if you were to say you are a Kenyan and you are not, they know they can lose their jobs because their job is security related. Sometimes, I wonder why we have not appointed our chiefs because, as the Act provides, the Principal Registrar can appoint certain people as registrars or as registration officials. I do not know why he cannot appoint all our chiefs to be registration officials.

*(Applause)*

This will ensure that when you go home, he knows you, he will give you your ID card when you attain the age of 18 or 16 depending on what this House will resolve. If we did that, we would not have that *mlolongo* and the corruption that goes with it. I can tell you that centralisation has its own problems. Procurements become bigger and people fight for them. Bureaucracy has a way of feeding itself. I think that if we can take our title deeds at Homa Bay - now it is in Mbita - which entitles you to your land and the registrar will sign that it is your title deed and it becomes yours, I do not know why they cannot provide an ID card. If the Registrar of Persons can give you your birth certificate at home--- I know that, at one time, I took my birth certificate at Homa Bay! I do not know why an ID card must come to the National Registration Bureau (NRB) for it to be vetted for one year before you get it.

Mr. Temporary Deputy Speaker, Sir, since I went to that office, people have been sending me SMSs because I gave them my number. It has overwhelmed me. But the problem they seem to say is that they have waited for their ID cards for one year. Some say: "I have waited for my passport for two years. I have been told to come over and over again. I am now tired and I have given up after two years of trying!" They also say: "I have tried to change my name because it was written Kituyi without an "I" at the end and now, I need that "I" because my certificates have the "I". I have waited for two years to get that amendment"! That is something that can be done very easily. So, I think that decentralisation is going to be the key. I hope that the committee that we will put together may recommend that we decentralise and appoint Government officers to be registration officials, especially chiefs! They have very little work, anyway.

Sometimes back, I went to a chief's office in Tanzania. I was shocked with what they do. I wished we could adopt it in this country. If you go to a chief's office, it is written at the board. The population is so much. There are so many men and women. Primary registration in the location has

so many children. There are this number of boys and girls. The dams we have in the location are so many. One has dried up and it needs excavation. They give all that information. They even indicate how many visitors went to that location in a particular year. If you went down the line to a chief's office, you will get all that information. But our chiefs do not seem to know how many children died of malaria in their locations. They have very little work. So, we could give them some of those jobs, so that they can help.

Another problem is with regard to the thing called race. The people from Coast and North Eastern provinces have a problem getting their documentation. That is because of an idea that has been in the heads of registrars that any person who comes from a border area could be a terrorist. I do not know where it came from but, immediately your name is - as Mr. Affey has said - Omar, you have a problem getting an ID card or a passport. That is a problem! Why? Because it is an attitude. I think it must change. Unless you have a reason--- Because, really, first of all, registration is compulsory. If you do not register, you will be jailed. So, it is compulsory! For something which is compulsory, you should register the person unless you have a reason to doubt it. It must be a valid reason. But here, it is like you must prove that you are a Kenyan and that your grandfather was also a Kenyan, before you get anywhere. I think those are the problems in registration that we want to look at.

Mr. Temporary Deputy Speaker, Sir, there was something else on walking with an ID card or its photocopy. First of all, there is no law--- At least, this law does not require that you walk with your ID card. A police officer has no right to require that you must have an ID card. That is not his job!

*(Applause)*

The ID card only shows that you are a Kenyan. But a police officer cannot demand that you show him or her whether you are a Kenyan or not. I remember that when I was a young man from the university, I was walking in Buruburu in 1982 after the *coup de tat*. I had left my ID card in the house. A band of police officers stopped me and I was alone. They asked me: "Where is your ID card?" I said: "It is in the house." They said: "We said where is your ID card?" I said: "I told you that it is in the house and you have no right to look at it!" Then they looked at me again because I talked like somebody with some knowledge. I told them: "I am a lawyer, but my ID card is in the house. If you want to come and look for it, come there. But let me warn you again that you have no right to ask me for my ID card!" But not everybody knows that and police officers use it as a way of extorting money from the people. I want to talk from here, where God has given me a chance to talk for a while, that police officers have no right to harass our Kenyans.

*(Applause)*

If you go to police cells, you will find it full of people who did not have ID cards, as if it is an offence to walk without one. Our magistrates do not seem to discourage it because every morning, you are found without an ID card and because you do not want problems, you say: "Of course, sir!" Then you are fined, maybe, Kshs500 and you go away. But it is a way of harassing Kenyans. I hope it can stop.

On the real issue of the Motion, whether to combine voting and national identification in one document, I have been advised by the Cabinet Office. I enquired. It is something that has been discussed by the Cabinet and it has been approved. What we are now waiting for is how to do it. That is because somebody raised the real issue here. An ID card is almost a permanent document for ten years. But for a voters card, you may want to change your station of voting and such like

things. How do you do it in such a way that it serves the purpose for which we are now requesting? I certainly accept this view as the Cabinet before us had accepted. I think it should be done. The only thing I may want to add is that we want to rapidly register Kenyans as they attain the age of 18. That is according to the Act so far. That way, we will not have those long queues. We will not have to come up with crisis budgets to make sure that people are cleared.

The handicap that I have - and that is what I have been told by my Permanent Secretary - is that we do not have enough vehicles, especially now that we have created more districts. We will need more vehicles and fuel. I have had to pay for some fuel for the registrars to move somewhere. In my area, where there are boats to go to islands, I have also had to pay for fuel for boats to take registrars to some places. I hope that will be a thing of the past when budgetary allocations are made. Thank you very much, Mr. Ethuro, for bringing this Motion.

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

**Mr. Ethuro:** Mr. Temporary Deputy Speaker, Sir, I can only sense a fresh breath of air. In fact, when I saw Mr. Kajwang singing *bado mapabambano* in the office. I called him and said at least we are getting new faces of Ministers who are excited about their positions because they want to do something for Kenyans. There is nothing that makes a Minister look serious by looking ugly and tired. In fact, it is a commitment and reflection of a desire to effect changes when you behave like Mr. Kajwang. He has just demonstrated it. How I wish all of them, that is the 42 of them can make this difference.

I am honestly grateful to the Minister and to the Government for such a contribution. Usually, there is a tendency by Government Ministers to think it is their first job just to shoot down a Members Motion. Some of them think that they are paid to belittle Parliament as if Parliament cannot make a contribution. Even when they know themselves that they cannot be appointed to the Cabinet by virtue of being Members of the National Assembly. That is good.

Mr. Temporary Deputy Speaker, Sir, I also want to thank the entire House. When I brought this Motion I was not sure that it would attract such enthusiastic support from the entire membership. I am overwhelmed by the Member's contribution and desire. I did not think this Motion would attract such attention. It means that it is completely relevant, topical, desirable and needed like yesterday. The Minister himself has demonstrated that the little thing he was to add was rapid production of the identity cards. This is one of the things that this Motion was asking for.

Mr. Minister, we do not have to be imaginative given the space and economy that we have on the Floor of the House. That is why we give it to you. You have the bureaucracy and officers who will look into this matter. Ours is just to give you direction that this is the way that we want as a nation to go and then you do the nitty-gritty. That is why you have a bureaucracy and a big office. I am also glad that you have even taken the trouble of actually getting yourself the Act and consulting the Cabinet Office to confirm the status of things because we are in serious business. This House will rise confident that we have a Cabinet that will listen to us.

Mr. Temporary Deputy Speaker, Sir, hon. Members have spoken on various issues. They have made an improvement on this Motion. A Motion by definition is an opportunity for debate on a particular matter. The one who brings it does not necessarily have the monopoly of wisdom. There is just a specific request that may be motivated him to bring it. However, hon. Members of this House, through collective wisdom, will make serious amendments and suggestions that will come to bear on this particular Motion. I am extremely happy that the Minister will be looking at our HANSARD copy. Mr. Minister, you are well advised and I wish you well. Look at the HANSARD, so that you know what everybody, including the hon. John Michuki did in terms of performance, productivity and delivery of services to this great nation.

Mr. Temporary Deputy Speaker, Sir, in fact, last September, I had an opportunity during the Public Service Week to go to Lamu District. At that time I was talking from the other side as an



Assistant Minister for Planning and National Development. The Luos in Lamu raised a certain issue. They told me that when they want identity cards, they are told to go back to their ancestral homes. It is a shame that after so many years of Independence we are asking people to go back to *Nyalgunga*, that is the village. That if you are a Somali in Bungoma, Turkana or Kisumu, you are asked to go back to Mandera border point or Wajir so that you get an identity card from there. We do not wish to hear these kind of things when this Motion is implemented. Mr. Kajwang, *Pambana kabisa!*

In fact, if you do not know, you will not seem to appreciate the impact of what lack of voter and identity cards can do to you. It is just like week that hon. Dr. Machage and Mr. Kamama are no longer in the Cabinet. The appointing authority looked at their numbers and realised that they can dispense with them. You know we in the marginalised areas are treated like you go to that *duka* in your local shopping centre and there is that small old banner reading: *Hakuna deni hapa na ukitaka deni, kuja na babu na nyanya wako wenye umri wa miaka zaidi ya mia moja na ambao wote wako hai*. This is exactly what we are doing to the Kenyan people. We need to change it.

Mr. Temporary Deputy Speaker, Sir, hon. Members have raised the issue that this should not be an opportunity to abuse procurement. It is true since part of the Anglo Leasing Scam has to do with that passport. However, I want to believe that this Government is serious with reforms, transparency, accountability and zero tolerance to corruption. That should not discourage us. We just have to be alert and make sure that we are doing what is right.

Mr. Temporary Deputy Speaker, Sir, there was only one dissenting voice and which harped on what he called privacy. Believe you me, all the great countries like America-- I had also an opportunity with the Vision 2030 team to lead the Kenyan delegation to Denmark. They know from day one how many people visited which village. Data is extremely useful. We need our national data system to start factoring this. It is how we use it. I can only deduce that kind of proposition can only be coming from the recycled relics from an ignominious past that do not want us to make progress. We, as country and House, have to make progress. No amount of privacy will deter us. This is a matter we can deal with in terms of what information is provided to the public and our security agencies. A nation that does not know its populace cannot effectively provide services and security to its citizenry. That is part of the problem. In any case, if we think we have been good at it, then why are we having all these problems?

Mr. Temporary Deputy Speaker, Sir, people have raised the issue of ethnicity where the identity card is being used as a tool for ethnicity or ethnic cleansing. I think this is a good recommendation that the Minister will need to take into account. The committee that he is proposing to form should be looking at all these kind of other issues, whether maybe that is the information that they can only have in the data base. This information does not have to be reflected on the document itself, so that any Kenyan can feel extremely safe to move anywhere in the Republic. But more fundamentally, it is the rot in the political system that is making us stop public transport like buses and *matatus* and ask people for their identity. It is not a problem of the people. It is a political problem. We, as politicians, have a responsibility to go out there and teach our people that there is nothing wrong with a Kikuyu born and brought up in Turkana District and *vice versa* or any other community. There is nothing wrong with coming from a particular community. We are all Kenyans and we need to be proud of it.

Mr. Temporary Deputy Speaker, Sir, as the Attorney-General said the other day, there comes a tide in the affairs of men. That tide is now. Over to you, Mr. Minister.

I beg to move.

*(Applause)*

*(Question put and agreed to)*

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Prof. Kaluki): Hon. Members, that concludes the business on the Order Paper. This House is, therefore, adjourned until this afternoon, Wednesday, 23rd April, 2007 at 2.30 p.m.

The House rose at 11.20 a.m.