

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 19th May, 2004

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

CARJACKING OF MR. NDIRANGU MWANGI

(Mrs. Kihara) to ask the Minister of State, Office of the President:-

(a) Is the Minister aware that Mr. Sammy Ndirangu Mwangi was carjacked on 10th December, 2002 around Naivasha Town while driving car No. KAK 920M?

(b) Why did the District Criminal Investigations Officer, a Mr. Thomas Mage, release the suspects on 17th January, 2003?

(c) Could the Minister explain the whereabouts of Mr. Mwangi, as the family has not seen him since that incident?

Mr. Deputy Speaker: Is Mrs. Kihara not there? Then, the Question is dropped.

(Question dropped)

Next Question, Mr. Salat.

ESCAPE OF PRISONERS FROM NAIVASHA PRISON

(Mr. Salat) to ask the Vice-President and Minister for Home Affairs:-

(a) Under what circumstances did 28 murder and robbery suspects escape from the Naivasha Maximum Security Prison on the night of April 21, 2004?

(b) How many of the 28 suspects have been arrested?

(c) What steps has the Minister taken to ensure that hardcore criminals do not escape from prisons as this will compromise security in the country?

Mr. Deputy Speaker: Is Mr. Salat also absent? Therefore, his Question will be dropped.

(Question dropped)

Next Question, Mr. Billow.

TRACING OF GOVERNMENT MONEY STASHED ABROAD

Mr. Billow: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Justice and Constitutional Affairs the following Question by Private Notice.

(a) Could the Minister inform the House the basis on which Kroll Associates (UK) Limited, was appointed by the Government to help trace billions of shillings allegedly taken from the Government and stashed abroad?

(b) How much money has been traced to date?

(c) Could the Minister table a list of persons involved in taking the money traced so far?

Mr. Deputy Speaker, Sir, I have not received a written answer to this Question. Could we wait until--

Mr. Deputy Speaker: Order! Mr. Billow, the Minister does not come carrying answers for Members. Ministers do not carry answers for Members. The answers are brought to Parliament and you ought to receive it through the Clerk. Mr. Murungi, do you have anything to say about the written answer for Mr. Billow?

The Minister for Justice and Constitutional Affairs (Mr. Murungi): Mr. Deputy Speaker, Sir, this is a Question by Private Notice which we took sometime to get the information and it was not until last evening that we were able to compile the answer. I will make available a copy of the answer later on.

Mr. Deputy Speaker: Okay, just proceed and answer.

The Minister for Justice and Constitutional Affairs (Mr. Murungi): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The hon. Member is seeking to know the basis on which Kroll Associates (UK) Ltd. was appointed by the Government to help trace billions of Shillings allegedly looted from the Government and stashed abroad. The basis on which Kroll and Associates was appointed is as follows.

There is a restitution project which is an undertaking of the Cabinet Committee against corruption. I do chair that Committee. The other Members of the Committee are the Minister for Roads, Public Works and Housing, Mr. Raila, the Minister for Finance, Mr. Mwiraria, the Minister for Planning and National Development, Prof. Anyang'-Nyong'o, the Minister for Lands and Settlement, Mr. Kimunya, the Minister for Regional Development, Mr. Kombo and the Minister of State, Office of the President in charge of Provincial Administration and national security, Dr. Murungaru.

This Committee sat and decided that restitution of illegally-acquired assets should be made a key priority in the fight against corruption in this country. The Committee also sought the services of Kroll and Associates, which is a publicly listed company and which over the last 30 years, has become the world's foremost expert in tracking down assets stolen by individuals and foreign governments.

Kroll and Associates have vast experience in following complex money trails as well as complete understanding of worldwide financial reporting methods, growing banking practices, international law and financial deception techniques.

The Committee decided that confidentiality was a critical component of this transaction and charge the Secretary of the Committee, who is the Permanent Secretary of Governance and Ethics, Mr. John Githongo, with the task of co-ordinating the said restitution efforts between the Government and Kroll and Associates, to maintain that level of confidentiality.

(b) Kroll and Associates has succeeded in tracing approximately US\$1 billion so far.

(c) We are unable, at this stage, to table a list of persons involved in looting the money traced so far because any disclosure of the identities of such persons would undermine further investigations and may very well compromise the recovery of looted funds.

Mr. Billow: Mr. Deputy Speaker, Sir, I appreciate the answer from the Minister. I also

congratulate the efforts of the Committee in tracing, at least, the US\$1 billion. With regard to part (a) of the answer, you heard the Minister say "confidentiality", among other things, is the reason for the quiet appointment of Kroll and Associates. But what I want to know from the Minister is, in the context of the recent development regarding some of the contracts such as the one given to Anglo Leasing and Finance, what procurement procedure has been used to engage this company competitively in relation to the other providers of similar services? What are the fees and what is their capacity?

Mr. Deputy Speaker: Mr. Billow, you must ask one question. You have already asked a question; what procurement procedures were used? Then, you start asking other questions! Just ask one question at a time. So, Mr. Minister, address yourself only to the procurement procedures.

Mr. Murungi: Mr. Deputy Speaker, Sir, due to the nature of this project, it would be unwise to advertise. In fact, we did not want the people we were pursuing even to know, at an early stage, of the existence of these investigations. But we can talk about it now because it has gone on for quite a number of months.

So, the very nature of the confidential investigations that needed to be done made it necessary for us not to use the usual procurement procedures. But I must inform the House that we tried to be as transparent as possible within the confines of Government and, indeed, the Controller and Auditor-General was alerted of these facts because, eventually, a report has to be made about the Government expenditure in procurement of services.

Mr. J.M. Mutiso: Mr. Deputy Speaker, Sir, I would like to know from the hon. Minister how much money these professional consultants are going to be paid as part of the commitment fee of recovering the US\$1 billion.

Mr. Murungi: Mr. Deputy Speaker, Sir, I could inform the House that, so far, we have paid M/S Kroll Associates (UK) Limited US\$90,000.

Mr. Obwocha: Mr. Deputy Speaker, Sir, Mr. Mohamed Suharto, Mr. Ferdinand Marcos, Mr. Mobutu Sseseseko, Mr. Abacha and Mr. Slobodan Milosevic robbed their countries of millions of dollars and I have the figures. A firm in London called M/S Linda has been able to recover huge sums of money from these former dictators. Why was this firm not considered since it has the experience of recovering stolen funds from various countries?

Mr. Murungi: Mr. Deputy Speaker, Sir, I have also done a bit of research regarding recovery of assets. The most successful recovery exercise was in Peru where Mr. Fujimori and associates have been forced to return to Peru US\$1,160 billion. That is the most successful recovery exercise in the world.

There are several firms that were involved in that exercise and we considered some of them, including some which have experience in Africa. I think Mr. Abacha's recovery has not gone on very well.

On the basis of a presentation done by M/S Kroll Associates (UK) Limited to the Committee, and on the basis of the report that we had asked the Permanent Secretary for Governance and Ethics to prepare for us, we thought M/S Kroll Associates (UK) Limited was the best.

Mr. Deputy Speaker: Last question, Mr. Billow!

*(Several hon. Members stood
up in their places)*

Do you have interest?

Hon. Members: Yes!

Mr. Deputy Speaker: Mr. Billow, ask your last question. However, I can still give others a chance.

Mr. Billow: Mr. Deputy Speaker, Sir, you heard the Minister say in response to part "c" of the Question that he is not able to table the list of the persons involved in taking the money traced so far. However, we have heard that there may be negotiations quietly going on between the people involved and either the Government or M/S Kroll Associates (UK) Limited. Could the Minister tell the House what is the process that will be used to get back this money? Are they considering court action or are they trying to negotiate with them to give some of the money and retain some? What line of action is he likely to take?

Mr. Murungi: Mr. Deputy Speaker, Sir, this exercise is usually in three stages. The first one is what we call asset-tracing. We want to find out who has what and where. For the last six months, this is what we have been involved in. We now have a rough idea of who has what in what country and which bank.

The next stage is to freeze those assets where they are so that they are not moved. We are now in that second stage. We have instructed lawyers out there to freeze the assets that have been uncovered so far.

The third stage would be recovery. The recovery could take several forms. There are some who will co-operate after we call them and tell them: "Look, you have this account in Zurich. It has some billion dollars and we want that money back". We might get the cheque back like the cheque from Anglo Leasing Company. We might get some of the cheques without much of a struggle. However, there are some who will resist and some are going to deny. In those cases, we will have no option but to institute legal proceedings which could be costly, complicated and lengthy. If we can get them to pay through other forms, other than complicated legal proceedings, we would give that priority. For those who we have to fight in the courts, then we have no choice but to do so.

Dr. Khalwale: Mr. Deputy Speaker, Sir, you remember that, in 1987, a conman by the name of Mr. Berg, I believe he was an American, came and promised Kenyans that he was going to attract millions of dollars through sponsorship of All Africa Games in Nairobi. However, he took off with the money. My question to the Minister is: What measures have they put in place to make sure that M/S Kroll Associates (UK) Limited, after realising those billions of dollars, does either cut deals with the people who are affected or that they actually take it?

Mr. Murungi: Mr. Deputy Speaker, Sir, I would like to inform the House that M/S Kroll Associates (UK) Limited is not working alone; it is not working independently. It is working with our own anti-corruption agencies. In fact, right now, some of our own people are out there abroad working with them. Any money recovered is not going to be put into a M/S Kroll Associates (UK) Limited account. We are going to open an account as Government into which that money is going to be paid. So the possibility of M/S Kroll Associates (UK) Limited recovering the money and taking off with it is not there.

Mr. Kaindi: Mr. Deputy Speaker, Sir, with all due respect to the Minister, because I know that he cannot engage in acts of witchhunt, would he inform this House the magnitude of the money involved? More importantly, he may not be able to tell us the names of the persons involved but, roughly, how many people is he talking about?

Mr. Murungi: Mr. Deputy Speaker, Sir, I could inform the House that the US\$1 billion which we have traced so far, only belongs to three people. However, further investigations are being made. There is possibility of this amount going up to US\$3 billion because we have expanded the investigations to other people. That is the information I would like to give as of now.

Mr. Deputy Speaker: Well, hon. Members, I realise the importance of this Question and I have, indeed, given it, right now, 15 minutes. One more question, Mr. Muiruri!

Mr. Muiruri: Mr. Deputy Speaker, Sir, if I had that US\$1 billion somewhere abroad and with the Minister's reply, I would transfer it to another bank. What measures has he put in place to ensure that, that money is not transferred?

*(Mr. Angwenyi moved from his place
to consult with Mr. Deputy Speaker)*

Mr. Deputy Speaker: Order, Mr. Angwenyi! You are out of order and you are ordered out of the Chamber!

(Mr. Angwenyi withdrew from the Chamber)

You cannot come and harass the Chair!

*(Several hon. Members stood up
in their places)*

Order! You might have to follow Mr. Angwenyi!

Mr. Murungi: Mr. Deputy Speaker, Sir, I would like to inform the House that the fight against corruption is now an international movement. It is just like the fight against abuses of human rights and there is a lot of co-operation out there and because of certain changes in the banking rules in Europe, you cannot now move huge amounts of money without security agents being informed. Some of the information we have is because we were alerted by banking authorities out there that certain amounts of money were about to be moved. They requested us whether this transaction could have been part of the transaction we are questioning in Kenya. It is not easy now to move huge amounts of money from one bank to another in the West.

It is also very easy for a person tracing the money to tell you that money was moved from one bank to another. We have traced the movement of that money. In fact, some of the money has been brought back to Kenya, while some has been taken to other jurisdictions like South Africa and Luxembourg. Even when it is moved, you can tell which bank it has been moved to. So, you can freeze it at its latest destination.

Mr. Deputy Speaker: Hon. Members, we have taken 20 minutes on this Question. I think it is worth it, because the Question is important.

Next Question, Dr. Manduku!

BANNING OF *DASANI*
MINERAL WATER

Dr. Manduku: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Trade and Industry, the following Question by Private Notice.

(a) Is the Minister aware that a multinational company, Coca Cola, is bottling water by the name *Dasani*, which is now banned in Britain and Europe?

(b) Is he further aware that ingredients used in the bottling of *Dasani* can cause cancer after long use?

(c) What action is the Minister taking to save people from predisposition to cancer?

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Coca Cola Company is bottling water by the name *Dasani*. This mineral water contains one to three parts per billion bromide levels, which are acceptable according to international standards. The product was banned in the United Kingdom (UK) and the European Union (EU), because the bromide content used in processing *Dasani* mineral water was beyond the recommended standard of ten parts per billion and 25 parts per billion maximum levels respectively. The two levels were found hazardous to human health, hence the ban.

(b) No, there is no record of any report whatsoever from the experts, declaring the use of acceptable levels of bromide in processing *Dasani* mineral water as a cause of cancer after long use.

(c) The Kenya Bureau of Standards (KEBS) is mandated to ensure that all consumer products accessing the Kenyan market are fit for human consumption. The processing of *Dasani* mineral water is not an exception.

Dr. Manduku: Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for the answer. *Dasani* mineral water is bottled internationally. It has been found that Coca Cola Company uses calcium chloride to purify the water. The derivative that comes out of calcium chloride is bromide. Bromide has been found to be a precursor for causing cancer. After a long use, bromide accumulates in the bones. Even though the *Dasani* mineral water that is bottled in Kenya has the lowest part per billion of bromide in the water, that substance will eventually accumulate in the bones and cause cancer. So, is the Assistant Minister saying that he wants to predispose our people for cancer eventually? What is he doing to ban this product in Kenya?

Mr. Miriti: Mr. Deputy Speaker, Sir, when water is treated with ozone, the resultant by-products are bromide, chlorates and periodates. A system must, therefore, be put in place to remove the bromides. However, in Kenya, we use different systems for water treatment and ozonation. The problem with bromide in the *Dasani* mineral water bottled by Coca Cola Company is not an issue to cause alarm in Kenya, unless proved otherwise. *Dasani* drinking water has been subjected to a purification process and is sourced from a borehole. This is a different system from those used in the UK and the EU. As far as the issue of accumulation of bromide in the body is concerned, we have not yet got scientific evidence to prove that there is such accumulation and that it would cause cancer.

Mr. Wanjala: Mr. Deputy Speaker, Sir, drinking water in this country has become more expensive than a bottle of beer, a litre of petrol and a 500-millilitre bottle of soda. What makes water that is drawn from a borehole more expensive than a bottle of soda or beer?

Mr. Miriti: Mr. Deputy Speaker, Sir, prices of commodities on the market are determined by the law of demand and supply. We operate in a liberalised economy. Consumers have a right to buy mineral water or drink water direct from the tap or purify their own water.

Mr. Mwanicha: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House that the demand for water is determined by the forces of demand and supply when we know that we buy bottled water for fear of contracting typhoid?

Mr. Miriti: Mr. Deputy Speaker, Sir, I am not aware of that fear. Everybody in this House is in a position to boil water for drinking and avoid typhoid.

Dr. Manduku: Mr. Deputy Speaker, Sir, I am not satisfied with the Assistant Minister's explanation that they have not got scientific information about the accumulation of bromide in blood. I am speaking from a scientific point of view. If they have not carried out tests, could they do so? In the meantime, could they ban this product from being sold in Kenya?

Mr. Miriti: Mr. Deputy Speaker, Sir, the KEBS has the equipment and the capacity to test all the water being produced in the country. As far as we are concerned, *Dasani* mineral water meets the required standards. We are not in a position to ban its sale in the country at the moment.

Mr. Deputy Speaker: Next Question, Mr. Ethuro!

CLOSURE OF LODWAR MTC

Mr. Ethuro: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Health, the following Question by Private Notice.

(a) Is the Minister aware that Lodwar Medical Training Centre has not admitted nursing students for the last one year and is about to be closed by the Nursing Council of Kenya (NCK)?

(b) What urgent measures is the Minister instituting to ensure that the centre will continue

training nurses and other cadres of health professionals?

The Minister for Health (Mrs. Ngilu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Lodwar Medical Training College (MTC) has not admitted nursing students for the last one year. This is, however, a temporary measure taken to give room for the hospital to have enough facilities for effective training purposes in accordance with the standards of the NCK.

(b) The Ministry is in the process of improving the facilities at Lodwar District Hospital, so that they are adequate for training purposes. I also wish to assure this House that Lodwar MTC has not been closed. It is being improved to continue offering nursing courses. More training programmes will be introduced at the MTC once facilities for effective training are available.

Mr. Ethuro: Mr. Deputy Speaker, Sir, I would like to thank the Minister for reassuring me that some progress is being made. She said that they are improving the facilities, but that cannot be part of an adequate answer. Students who were supposed to start their training last March could not report to the institution because of specific recommendations by the NCK as follows: One, that the Minister posts a surgeon to Lodwar District Hospital. Two, sufficient medical supplies be put in place. Three, the maternity ward be properly managed, so that the students can learn from maternity cases. This has to do with cost-sharing. What specific action, within a defined time frame, is she taking to ensure that the NCK will admit nursing students to that college in September, 2004?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, it is true that some medical training colleges do not have surgeons and certain equipment. However, as I said, this year it will be a little bit different because the Ministry will use some of its resources to access drugs and equipment. We will also ensure that we service these facilities.

Mr. Munya: Mr. Deputy Speaker, Sir, it is not enough for the Minister to say that they are improving facilities. We would like to know how much time this improvement exercise will take. When will they open the college? This is a college that serves an area that has very few trained personnel.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I do promise the House that, by September, this year, the college will be opened.

(Applause)

Mr. Rotino: Mr. Deputy Speaker, Sir, I would like to thank the Minister for promising that she will open the college by September. I hope this will also apply to West Pokot District. We have a training college which was built about ten years ago, but it has not been opened. Every year, we have been requesting the Ministry to open it, but with little success. Could the Minister also consider opening Kapenguria Medical Training College?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I will try. However, so much work needs to be done before we open it, but I will do everything that I can.

Mr. Deputy Speaker: Mr. Ethuro, I think you are satisfied now that the Minister has promised to open the college in September. Do you still have a question?

Mr. Ethuro: Yes, Mr. Deputy Speaker, Sir. It is the tradition of this House that I conclude. Therefore, in conclusion, I want to thank the Minister for assuring the good people of Kenya, who live in Turkana District, that this particular facility will be opened in September this year. That means that she will post a surgeon, send enough medical supplies and ensure that the maternity wing is operational before September.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, one thing I would like to ask the hon. Member to help us achieve is to actually encourage women in that area to use the maternity facilities. In the past, we had a maternity there which was not effectively used because women chose to deliver at home. So, we need to have the women encouraged to use those facilities much more than they have used them

before.

Mr. Deputy Speaker: Very well! Next Question, by Mr. Wario!

RECONSTRUCTION OF MARAMTU
PRIMARY SCHOOL ROOF

(Mr. Wario) to ask the Minister for Education, Science and Technology:-

(a) Is the Minister aware that the roof of Maramtu Primary School has been blown off by wind?

(b) Is he further aware that the children of the said school have nowhere to learn?

(c) What immediate intervention measures has the Minister put in place to address this calamity?

Mr. Deputy Speaker: Mr. Wario not here? The Question now suffers the fate of others; it is dropped.

(Question dropped)

Next Question, by Mr. Mganga!

COMPENSATION FOR VICTIMS
OF BUFFALO ATTACK

Mr. Mganga: Mr. Deputy Speaker, Sir, although I have not received the written reply, I beg to ask the Minister for Environment, Natural Resources and Wildlife the following Question by Private Notice.

(a) Is the Minister aware that Messrs. Mwazuma Chimvasi and Mwagudu Katana were killed by a rogue buffalo on 30th April, 2004 at Wangala Ranch, Maungu, in Voi Division?

(b) What urgent measures is the Minister putting in place to ensure that all wildlife is permanently confined within the National Parks?

(c) When and by how much will the families of the two victims be compensated?

Mr. Deputy Speaker: Is anyone here from the Ministry of Environment, Natural Resources and Wildlife? In the interest of the public, I will defer the Question.

(Question deferred)

Hon. Members, let us now move on to the Ordinary Questions. The first Question is by Mr. Ndolo.

ORAL ANSWERS TO QUESTIONS

Question No.116

SELECTION CRITERIA FOR SELECTING
PRESIDENTIAL AWARD BENEFICIARIES

Mr. Ndolo asked the Minister of State, Office of the President:-

(a) whether he could explain the criteria for selecting beneficiaries of the annual Presidential awards; and,

(b) what the monetary value and significance is of each order of the awards.

The Assistant Minister, Office of the President (Mr. Dzoro): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The annual Presidential awards are awarded on merit. The persons honoured by the President are men and women of proven integrity, whose roles and contribution to the country, and the society in general, have been adjudged exemplary, profound, pre-eminent and inspiring. Others are people who have excelled in service to the society and to the country in social, political, economic or scientific spheres through a display of exceptional brilliance, courage, commitment and valour in their abilities.

(b) There is no monetary value for the awards. The significance is that: The Order of the Golden Heart (OGH) is for the President of Kenya for the time being. Upon relinquishing the Presidency of the Republic of Kenya, he also relinquishes the Presidency of the Order. There are three classes of the Order: The first, second and third class, also known as the Chief, Elder and Moran of the Order of the Golden Heart of Kenya (EGH). The Uhodari Medal is awarded only to the most conspicuous bravery or for some daring and pre-eminent act of valour, self sacrifice, or for extreme devotion to duty involving imminent danger of death to the performer.

The Order of the Burning Spear is awarded for distinguished services to the Republic. The Chief of the Order of the Burning Spear is awarded to principal public dignitaries, distinguished members of the public service and other professions; heads of large commercial and industrial concerns, distinguished benefactors of the Republic, and officers of the services, of the rank of Colonel or equivalent rank and above.

Mr. Ndolo: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for that answer. However, we know that some people are qualified for those awards, for example, Dr. Chandaria and other people in this country. But last year, we saw the likes of Mr. Pattni being given those awards. Big business people were given those awards last year.

Could the Assistant Minister tell this House what measures they will put in place to ensure that--

Mr. Muiruri: On a point of order, Mr. Deputy Speaker, Sir. Did you hear Mr. Ndolo mislead the House that Mr. Pattni was given a Presidential award last year? Is he not misleading the House? Is he referring to Mr. Kamlesh Pattni or somebody else?

Mr. Deputy Speaker: Well, I wanted him to finish asking his question. Mr. Ndolo, are you sure that Mr. Pattni was given a Presidential award last year?

Mr. Ndolo: Mr. Deputy Speaker, Sir, I said "the likes of Mr. Pattni".

Mr. Deputy Speaker: Mr. Ndolo, you have been asked whether you are sure that Mr. Pattni was given a Presidential award last year. What is your response?

Mr. Ndolo: Mr. Deputy Speaker, Sir, I read in the newspapers in December last year about Dr. Chandaria being given a Presidential award.

Mr. Deputy Speaker: Order, Mr. Ndolo! You did not say Dr. Chandaria, but you said "Mr. Kamlesh Pattni".

Mr. Ndolo: Mr. Deputy Speaker, Sir, I have said "the likes of Mr. Pattni".

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Mr. Ndolo, we are serious! If you want to be taken seriously when asking questions, you must be serious. You cannot say that, that was with a light touch! You cannot play around when you are asking an Assistant Minister of the Government in Parliament a question. So, be serious and ask your question now.

The Minister for Energy (Mr. Ochilo-Ayacko): On a point of order, Mr. Deputy Speaker, Sir. Did you hear Mr. Ndolo mention Dr. Chandaria, who is a distinguished person as having been given a Presidential award? Could he withdraw that remark and apologise to Dr. Chandaria?

(Applause)

Mr. Deputy Speaker: Mr. Ndolo, do you see now the problem we are getting into? Could you withdraw those remarks and then ask a proper question? I would like to give you an opportunity to withdraw those remarks.

Mr. Ndolo: Mr. Deputy Speaker, Sir, I withdraw the remarks and apologise to the House.

(Laughter)

Mr. Deputy Speaker: Mr. Ndolo, could you now ask your question?

Mr. Ndolo: Thank you, Mr. Deputy Speaker, Sir. Could the Assistant Minister tell this House the measures the Ministry has put in place to ensure that honesty and transparency will be taken into account when giving Presidential awards?

Dr. Dzoro: Mr. Deputy Speaker, Sir, I want to assure this House that the Government will continue to be transparent when it comes to this matter.

Mr. Serut: Thank you very much, Mr. Deputy Speaker, Sir. The Assistant Minister has said that Presidential awards are given to those people who excel. What happens if somebody is given a Presidential award today and he or she is discovered to be a thief tomorrow?

Mr. Dzoro: Mr. Deputy Speaker, Sir, I would like the hon. Member to know that if that happens, a consideration can be made to withdraw the Presidential award.

Mr. Mwenje: Mr. Deputy Speaker, Sir, could the Assistant Minister tell us the person who decides who will be given a Presidential award? He has said it is the Government, and yet, we have never known who is this in the Government who decides who should be given a Presidential award. Sometimes, when you look at the list of the people who have been given Presidential awards, although I do not want to say what Mr. Ndolo said, you will find that there are some cases where people who do not deserve to be given Presidential awards are given. That shows favouritism.

Mr. Deputy Speaker: So, your question is: Who decides who should be given a Presidential award? Let the Assistant Minister answer that question.

Mr. Dzoro: Mr. Deputy Speaker, Sir, there is a committee which recommends on who should be given a Presidential award. The District Commissioners also recommend. That committee does a good job.

Eng. Muriuki: On a point of order, Mr. Deputy Speaker, Sir. Could the Assistant Minister give us the names of the members of that committee?

Mr. Dzoro: Mr. Deputy Speaker, Sir, the committee is headed by the Permanent Secretary, Secretary to the Cabinet and Head of the Public Service.

Mr. Mbai: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order! Just rise up and catch my eye. You do not have to rise on a point of order in order to catch my eye!

Maj. Madoka: Mr. Deputy Speaker, Sir, could the Assistant Minister tell us the criteria used to give Presidential awards? This is because at the moment, we get very many civil servants and military personnel being given those honours and awards in the course of their normal duties. I would have thought that people and organisations deserving those awards are those involved in charitable work?

Mr. Deputy Speaker, Sir, could the Assistant Minister ensure that there is a mechanism in place to ensure that the people who do charitable work are considered for Presidential awards?

Mr. Dzoro: Mr. Deputy Speaker, Sir, the hon. Member is a recipient of the Presidential awards we are discussing. I do not know what criteria was used to give him a Presidential award at that time. But I want to assure this House that distinguished Kenyans, as I have said before, merit

Presidential awards.

Hon. Members: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Hon. Members, we have only ten minutes to finish Question Time, and yet we have many Questions to be asked. Mr. Ndolo, do you want to ask your last question?

Maj. Madoka: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Assistant Minister questioning the criteria under which I was given the Presidential award? I can prove that I did deserve that award.

(Applause)

Mr. Dzoro: Mr. Deputy Speaker, Sir, I did not question the criteria used to give the hon. Member a Presidential award. I only said that there was a criteria in which the hon. Member was a beneficiary.

Mr. Ndolo: Thank you, Mr. Deputy Speaker, Sir. Could the Assistant Minister lay on the Table, the criteria used by his Ministry to determine who is given a Presidential award?

Mr. Deputy Speaker: This question has already been asked.

Mr. Dzoro: Mr. Deputy Speaker, Sir, I think I have answered that question. However, there is a class for the President. There is a second and a third class as I have stated before.

Question No.202

REPAIR OF MURI FARM-KINDARUMA ROAD

Mr. Mbai asked the Minister for Roads, Public Works and Housing:-

(a) whether he is aware that Muri Farm-Kindaruma Road (Road 626) in Masinga Constituency is incomplete;

(b) whether he is further aware that the road is impassable on the side of Ndithini Division; and,

(c) what urgent measures he is taking to ensure that the road is repaired and the bridge on Thika River constructed.

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that Muri Farm-Kindaruma Road in Masinga Constituency is incomplete, since it was not under construction.

(b) I am aware that the said road is in a poor state which becomes worse during the rainy season, especially for low clearance vehicles. The road is particularly worse towards Ndithini Division.

(c) The Ministry, through the Machakos District Roads Committee, has allocated Kshs491,600 during this financial year for maintenance of this road and repair of protection works at Ndera Bridge.

Mr. Mbai: Mr. Deputy Speaker, Sir, Muri Farm-Kindaruma Road is very important in my constituency. It passes through Ndithini Division which makes up my constituency. The Kshs491,600 from the DRC that the Assistant Minister has talked about is not enough to construct that road which was done half way. This money can only construct 20 kilometres of the road, and yet the road is about 70 kilometres long.

The Assistant Minister has not addressed the three parts of my Question. I have asked him to tell the House when he will construct a bridge across the Thika River.

Mr. Deputy Speaker: Mr. Mbai, this is Question Time! Could you ask the Assistant Minister your question?

Mr. Mbai: Mr. Deputy Speaker, Sir, could the Assistant Minister tell us when he will construct the bridge across the Thika River, so that I can serve my people properly?

Eng. Toro: Mr. Deputy Speaker, Sir, construction of a bridge is a sensitive issue because the existing bridge built across Thika River is located at a point where Masinga Dam overflows when it is full. We have already sent engineers to the site and they are looking for an alternative site, where a suitable bridge can be constructed across the Thika River.

Mr. Deputy Speaker, Sir, currently, we are aware that travellers wishing to cross to the other side of River Thika use a bridge near Ndalani on Road E491, which is very difficult and inconvenient to cross. We are looking into the issue of that bridge and, very soon, we will advise the hon. Member on the appropriate site that will be identified by the engineers. It will be far upstream such that it will not be interfered by Masinga Dam when it overflows.

Mr. Mwanicha: Mr. Deputy Speaker, Sir, the issue of bridges is bothering many people in this country. In my constituency, we have a natural resource called River Gucha, which has no bridges. It is a big river which needs big bridges. The people are using logs carried by raging storms to cross the river. What plans does the Assistant Minister have to construct suitably placed bridges to assist people to cross rivers in their respective areas?

Eng. Toro: Mr. Deputy Speaker, Sir, the issue of bridges is receiving adequate attention by the Ministry. First, hon. Members should appreciate that construction of bridges is a very expensive exercise. Over the years, the Bridges Section in the Ministry has been neglected. It has been receiving very little funds during the Budget. We are looking into that. We are trying to allocate more funds to that section so that as many bridges as possible can be constructed.

We are aware that the District Roads Committees (DRCs) money can do very little when it comes to the construction of bridges. The construction of bridges is a specialised area and cannot be undertaken at the local level, without proper designing by the Bridges Section in the Ministry. So, I can assure the House that the issue of bridges is being addressed. We will allocate more funds to the Bridges Section. However, I would like to ask hon. Members to be patient because we cannot do all the bridges at the same time.

Mr. Deputy Speaker: Last question, Mr. Mbai!

Mr. Mbai: Mr. Deputy Speaker, Sir, I am not satisfied with the answer the Assistant Minister has given. Could he tour that road, so that he can know the problems facing the people of Masinga?

Eng. Toro: Mr. Deputy Speaker, Sir, I agree to that. The hon. Member can make the arrangements. I am willing to go and visit the road.

(Applause)

Question No.207

RECONSTRUCTION OF
BUMULA-MABUSI BRIDGE

Mr. Bifwoli asked the Minister for Roads, Public Works and Housing:-

- (a) whether he is aware that the bridge linking Bumula and Mabusi locations has been washed away; and,
- (b) when the Ministry is planning to reconstruct the bridge.

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): Mr. Deputy Speaker, Sir, I would like to request that this Question be deferred to tomorrow. This is because we received it on Monday last week. By the time we received communication from Bungoma, yesterday evening, we did not have enough time to compile the answer for today. So, could I

request that the Question be asked tomorrow?

Mr. Deputy Speaker: Very well! Mr. Bifwoli, do you have any objection?

Mr. Bifwoli: Mr. Deputy Speaker, Sir, if it will come tomorrow, there is no problem.

Mr. Deputy Speaker: Very well. Question deferred!

(Question deferred)

Next Question by Mr. Kipchumba!

Question No.211

ABOLITION OF BASE LOAD OIL
PROCESSING REQUIREMENT

Mr. Kipchumba asked the Minister for Energy:-

(a) whether he is aware that many oil companies are unable to meet their base load processing requirement at the Kenya Petroleum Refineries Limited and, hence, run the risk of losing their import licences;

(b) whether he is further aware that the reasons for the base load processing requirement are no longer valid and negate the principle of liberalization; and,

(c) whether he could consider abolishing the legal requirement for base load processing to allow fair competition in the oil sector.

*(Mr. Deputy Speaker consulted
with an hon. Member)*

Mr. Deputy Speaker: Mr. Assistant Minister, I am very sorry. This is what we always say! The Chair should be left alone to be in attentive! Time and again, we have issued that statement from the Chair. We want the Chair to be allowed to concentrate on the business of the House. Anyway, this is one of those days! Can we go back now? Mr. Bifwoli, did you say it was okay?

Mr. Bifwoli: Mr. Deputy Speaker, Sir, it is okay.

Mr. Deputy Speaker: Then, let us move on to the next Question by Mr. Kipchumba! The Question has been asked. What is your reply, Mr. Minister? It is all your fault, hon. Members; disturbing the Chair!

The Minister for Energy (Mr. Ochilo-Ayacko): Thank you, Mr. Deputy Speaker, Sir. I have a long answer, but I want to shorten it.

(a) Yes, in the past, a number of smaller companies had difficulties in acquiring crude oil for processing. But that has been sorted out by the open tender system for crude oil acquisition. That enables small companies to join together with big companies to bring a single consignment of crude oil at the most competitive price.

(b) The base load arrangement was established after the regulation of the oil sector in 1994, to ensure that enough crude oil was processed at the refinery to produce sufficient quantities of Liquefied Petroleum Gas (LPG) - which is cooking gas - and fuel oil. The Government's policy to promote the consumption of LPG is to reduce deforestation and improve on the environment through the introduction of clean fuel.

(c) The requirement to process base load was introduced as an interim measure to enable continued operation of the refinery to produce sufficient quantities of LPG, cooking gas and fuel oil and, therefore, needs to remain in place until a decision is taken about the future of the refinery. There are also plans to import handling facilities for LPG.

Mr. Kipchumba: Mr. Deputy Speaker, Sir, you heard the Minister say clearly that the introduction of clean fuel is intended to reduce deforestation and improve the environment. But we all know very well that the refinery that we have in this country enjoys continuous waivers from the Kenya Bureau of Standards (KEBS). That is because the refinery that we have produces harmful products. For example, gasoline has a sulphur content of 1 per cent as opposed to the 0.5 per cent as recommended in the world. It cannot produce leaded fuel, which is against the principles of the international community. Why would the Government protect a refinery that produces harmful products in this country? The Minister is telling us that it produces "clean fuel", when we know that it is not true.

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, last week, we issued a 31st December, 2005 deadline for refineries to produce clean fuel. That is unleaded gasoline and low sulphur diesel. Beyond that deadline, the Government will have no choice but to ask for direct importation of finished products.

We have allowed the refinery to operate because we do not have sufficient import handling and storage facilities for LPG. If we close the refinery today, there will be no cooking and industrial gas in this country. But we have made arrangements to put up import handling and storage facilities for LPG through the Kenya Pipeline Company and private participants in the energy sector.

Mr. Koros: Mr. Deputy Speaker, Sir, is the Minister aware that the prices for diesel and petrol have gone up by Kshs20 in the last 15 months? What action is he taking to make sure that the prices for those commodities are reduced?

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, that is an entirely new Question. But the short answer is this: It is true that we liberalised that sector and the prices of petroleum products are a function of demand and supply. The Government has, however, lowered the entry points for market entrants who want to import wholesale or retail petroleum products. So, we are on the verge of not asking the Kenya Pipeline Company to ask for a line-fill. We are also on the verge of reducing the quantity of crude oil that each new entrant is supposed to bring into the country. We are also coming up with a few incentives. We are building storage facilities, so that market forces can have a level playing field to affect prices.

Mr. Kipchumba: Mr. Deputy Speaker, Sir, you clearly heard the Minister say that if there was no crude oil, indeed, there would be shortage of Liquefied Petroleum Gas (LPG) in this country which is not true because we all know that there is an import facility. This country has the capacity to handle 1,000 metric tonnes of LPG imports every week, if that could be implemented. This country requires only 3,000 metric tonnes and, therefore, the reasons that we have been given that indeed, LPG could be the reason that we are sustaining the refinery is not true. Could the Minister, therefore, confirm that the reasons that are given to us are not true and that the refinery is still protected basically because Shell, BP and Caltex, which are multinational companies, have exerted pressure on the Government that the refinery be maintained?

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, that is not true at all. Shell and Caltex have indicated that the refinery is inefficient. It is not correct that our LPG need is 3,000 metric tonnes. In fact, it is upwards of 41,000 metric tonnes and it has a potential of increasing to 150,000 metric tonnes. The difficulty we have is that an economic heap of LPG that can be imported at any give time is more than 7,000 metric tonnes. The storage facility we have at the refinery is for 1,200 metric tonnes. So, one shipment becomes that little and has to go back to the high seas. Demurrage costs are charged and this brings a lot of problems in terms of prices. The hon. Member does not have the correct position. It is fairly technical.

Question No.196

CONTROL OF TICK-BORNE
DISEASES IN BUTULA

Mr. Deputy Speaker: Very well. The Minister for Livestock and Fisheries Development has asked that the Question by Prof. Mango be deferred until tomorrow. I see that Prof. Mango is not here and, therefore, there is no objection. The Question is deferred to tomorrow afternoon.

(Question deferred)

Next Question by Mr. Wambora!

Question No.114

ALLOCATION OF AMBULANCES
TO CONSTITUENCIES

Mr. Wambora asked the Minister for Health:-

- (a) how many ambulances were allocated to the respective constituencies by the Ministry during the 2003/2004 Financial Year;
- (b) how many are scheduled for allocation to the respective constituencies during the 2004/2005 Financial Year; and,
- (c) when Runyenjes Sub-district Hospital, Karurumo Rural Training Health Centre and Kianjokoma Health Centre will get ambulances.

The Minister for Health (Mrs. Ngilu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) A total of six ambulances were allocated to health facilities countrywide during the 2003/2004 Financial Year. An additional 43 double-cabin pick-ups and 13 motorcycles were also distributed. The distribution, however, was not based on constituencies but on the basis of priority health facilities that did not have vehicles.

(b) The number of ambulances and other motor vehicles to be purchased and distributed during the 2004/2005 Financial Year will be determined after the budget proposal for the Ministry for the year have been approved by the House.

(c) Runyenjes Sub-district Hospital and Karurumo Rural Training Health Centre will be considered together with other health facilities, on each facility priority basis to be allocated ambulances in the next financial year on the basis of budgetary allocations. Meanwhile, the Ministry shall ensure that vehicles currently on these two facilities are in good order to be used when required.

Mr. Wambora: Mr. Deputy Speaker, Sir, I thank the Minister for the answer but I would like to refer to what she has mentioned; that, the basis for allocation is on the basis of priority health facilities. Now, could the Minister tell us what criteria is used to determine which health facilities become priority health facilities and could she table the list of the 43 priority facilities which benefitted from the 43 vehicles?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, in the hon. Member's own constituency, the Kianjokoma Health Centre has an old Land Rover, registration number GK 923. However, it keeps on breaking down. Runyenjes Sub-district Hospital was issued with a Land Rover also, registration number GK R248 in November 1997. Some of these vehicles are old and have numerous problems. The criteria used was the distances between health centres and the sub-district hospitals and areas which are very difficult to reach for those who get sick. That is the criteria used. I do not have the list here but I can bring it tomorrow afternoon.

Mr. Salat: Mr. Deputy Speaker, Sir, hon. Wambora has asked the Minister to state the number of ambulances that were distributed in the Financial Year 2003/2004 and I just heard her mentioning 1997. She has been asked to state the areas that benefitted in the Financial Year 2003/2004.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I said that I can bring that list tomorrow afternoon. However, I want to say that this is based on the needs, roads, terrain and the distances from the main hospitals.

Mr. Rai: Mr. Deputy Speaker, Sir, arising from what the Minister is telling this House, Samburu Health Centre was among those health centres meant to benefit from ambulances allocated during the Financial Year 2003/2004. Samburu Health Centre is 80 kilometres away from Coast General Hospital and it is along the Mombasa-Nairobi Highway and it has been without an ambulance for the past ten years. The last time an ambulance was there was in 1995 when it was taken to Mombasa for repairs and it has not come back since then. What is the Minister doing about this issue because, when I visited her office, she promised me that an ambulance was going to be provided to that health centre?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, as a matter of fact, I would like to tell the House that I have tried to move the Ministry's policy from buying regular ambulances to buying four-wheel-drive double-cabin vehicles. I have found out that they are more useful and they consume less amounts of fuel, so that we can spread the little money that we have and this is what I would like the House to encourage me to buy, instead of buying the regular ambulances because the double-cabin four-wheel vehicles can go to many of those health centres. On the Samburu District Health Centre, I can assure the hon. Member that I have been there. I have seen it and I know it needs an ambulance and I am going to take cognisance of that.

Mr. Kingi: Mr. Deputy Speaker, Sir, is the Minister aware that the Ministry has an acute shortage of drivers and that some of the ambulances that have been bought are still lying idle at the district hospitals because of lack of drivers?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, hon. Kingi did not say that he has been a beneficiary of an ambulance. However, I have requested that whenever we send an ambulance, I would like its driver to be from the local area and one who can speak the local language. He should also be a competent and experienced driver who can look after the vehicle.

Mr. Deputy Speaker: I know that the issue of ambulances is very important. I would also ask the same Question if I was in a similar situation.

Mr. Sudi: Mr. Deputy Speaker, Sir, the Minister for Health has just said that the budget should first of all be approved. How can she approve a budget before she sees what is being budgeted for?

Mr. Deputy Speaker: What are you saying?

Mr. Sudi: Mr. Deputy Speaker, Sir, the Minister just said that before she buys an ambulance, she must bring a budget in the House so that it can be approved. How can the House approve a budget for something that it has not budgeted for?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I am not very sure what the hon. Member is asking, but let me say here that as a matter of fact, the Ministry of Health is taking inventory of all the vehicles lying unused and may have been mishandled so that we get them repaired. I want to assure this House that we will soon have many vehicles. Some will be used in the campaigns against Malarial and HIV/AIDS. The vehicles will be given to health centres. So, I encourage that the vehicles be used to take sick people to hospital and especially women so that they have access to maternity facilities.

Mr. Wambora: Mr. Deputy Speaker, Sir, the Minister said that there are two old vehicles; one in Runyenjes Sub-district hospital and the other in Kianjokoma Health Centre. She has promised to carry out repairs on the two vehicles. However, I want assurance from her that in the year 2004/2005, the two health facilities will be given the Four-Wheeled Double Cabin Pick-Up so that they can give good service to the people.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I do not want to assure him that I will--- Once again I have to look at the needs of those places and also determine how far they are from Embu District

Hospital.

Mr. Poghisio: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: What is it, Mr. Poghisio?

Mr. Poghisio: Mr. Deputy Speaker, Sir, I believe that the Minister is misleading the House when she calls Double Cabin Tracks, ambulances. There are standard equipment for ambulances. She should not mislead the House by calling those pick-ups, ambulances. She should have another name for them.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I agree with him entirely. However, it is a question of our roads and how we want to use our vehicles. Even our own vehicles back at home can be converted into ambulances. When you have sick people, you carry them in your own vehicle. In fact, concerning these pick-ups, we have designed them in such a way that in the front, we have the driver of the vehicle and a clinical officer or an attendant. In between, we have space for the patient and on the sides, there is space for two supporting staff or people. This design has really served well and I would like to encourage it.

Question No.203

CLOSURE OF KESSES DISPENSARY

Mr. Koros asked the Minister for Health:-

(a) whether she could explain the closure of Kesses Dispensary in Uasin Gishu District in May, 2003; and,

(b) what urgent plans she has to reopen the Dispensary.

The Minister for Health (Mrs. Ngilu): Mr. Deputy Speaker, Sir, this is a very difficult Question for the Minister for Health at the moment because there is a lady who gave land to the community to put up the dispensary with an understanding that she would be given another piece of land by the same community. When she was not given an alternative, she decided to occupy the whole place and took over all the facilities and turned them into her own. So, I have to be given time to work with the Provincial Administration and local authorities to see how we can settle the lady elsewhere. Only then, shall we be able to reclaim the dispensary.

Mr. Koros: Mr. Deputy Speaker, Sir, I have no objection, but how long will the Minister take to do that?

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I have a letter here which talks of too many Ministries including the Office of the President. Even the former President assured the lady that she would be given another piece of land. So, I am starting afresh to see how I will settle the woman elsewhere. Meanwhile, I will talk to her and ask her to allow our facilities to open while we look at what else we can do.

Mr. Deputy Speaker: Mr. Koros, I think you will be satisfied that the Minister will make some effort on the matter and you can always revisit it if it is not resolved. However, it will not be fair to ask the Minister to give a definite date in view of the intricacies of the matter.

Question No.021

ILLEGAL ENCROACHMENT ON
AIRPORTS' LAND

Mr. Deputy Speaker: Mr. Angwenyi is still not here. The Question is deferred.

(Question deferred)

Hon. Members, you will notice that it is 20 minutes past Question Time and yet we want to try our best to be using only one hour during Question time. We are not doing very badly, but we should improve on that.

POINTS OF ORDER
OUTBREAK OF MYSTERIOUS
DISEASE IN KIBWEZI

Mr. Ndile: Bw. Naibu Spika, ningependa kuuliza taarifa kutoka kwa Waziri wa Afya kwa sababu kuanzia tarehe moja, mwezi huu, kuna ugonjwa ulizuka huko Kibwezi, Wilaya ya Makueni. Ugonjwa huo umewaua watu wengi sana. Hivi sasa watu 80 wamekufa na bado haijulikani ni nini kinasababisha ugonjwa huo. Kinachofanyika ni kuwa, watu wanapokula chakula kama vile ugali, keshoye wanavimba tumbo, macho yao yanageuka kuwa manjano na miguu inawavimba.

Mr. Deputy Speaker: Mhe. Ndile, tayari umeitisha taarifa, kwa hivyo usiianze kupeana taarifa wewe mwenyewe. Waziri ataita taarifa hapa Bungeni ndipo tutajadili mambo hayo yote unayojaribu kusema. Nafikiri, Waziri wa Afya amekupata vilivyo.

The Minister for Health (Mrs. Ngilu): Bw. Naibu Spika, nitaita taarifa hiyo.

Mr. Ndile: Bw. Naibu Spika, ninaomba kuwa taarifa hiyo ipeanwe kesho kwa sababu ninapata fununu kuwa kuna uwezekano wa Bunge kuahirishwa.

Mr. Deputy Speaker: Mrs. Ngilu, are you able to bring the Statement tomorrow?

The Minister for Health (Mrs. Ngilu): Bw. Naibu Spika, nitaita taarifa kesho.

REHABILITATION OF SCHOOLS
DESTROYED BY FLOODS

Prof. Oniang'o: Mr. Deputy Speaker, Sir, more than a week and half ago, I sought a Ministerial Statement from the Minister for Education, Science and Technology regarding the damage caused in schools by floods and what emergency measures the Ministry is taking to ensure that books and other facilities destroyed are actually taken care of. There is no indication, whatsoever, that the Ministry has any plan to bring the Ministerial Statement to this House.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Deputy Speaker, Sir, I would like to assure the hon. Member that we have plans to give that Statement. We should do it on Thursday, tomorrow.

INVASION OF PRIVATELY-OWNED
FARMS IN MAKUENI

Mr. Khamasi: Mr. Deputy Speaker, Sir, about two weeks ago, I sought a Ministerial Statement from the Office of the President to explain why people's land was invaded in Makueni, but upto now we have not received a Statement from the same office. I would like the Minister to indicate to us when the Statement will be produced.

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Deputy Speaker, Sir, we were supposed to issue the Statement last week, but due to the fact that the business of the House was too much, we were unable.

Mr. Deputy Speaker, Sir, since I am in the House right now, I will find out if it will be possible to bring the Statement tomorrow.

Mr. Deputy Speaker: Very well, try to give the Ministerial Statement tomorrow if you will have the time.

Proceed, Mr. Kipchumba!

STRIKE BY KENGEN AND
KPLC EMPLOYEES

Mr. Kipchumba: Mr. Deputy Speaker, Sir, I would like to seek a Ministerial Statement from the Minister of Energy regarding the strike by the KenGen and KPLC staff.

Mr. Deputy Speaker, Sir, I would like the Minister to tell us whether Kenyans should brace themselves for a power blackout, or whether the Government has a back-up plan. What steps is the Ministry taking to ensure that Kenyans do not experience any power blackouts?

Finally, I want the Minister to explain why the demands of the employees, such as the harmonization of salaries, the provision of protective clothing and payment of accident insurance claims cannot be addressed.

Thank you, Mr. Deputy Speaker, Sir.

(Applause)

The Assistant Minister for Energy (Mr. Kiunjuri): Mr. Deputy Speaker, Sir, the hon. Member is asking for a comprehensive Statement, and I do not know whether we will have time to do that tomorrow. This is a sensitive issue, but I want to assure you that if it will possible, it will be issued tomorrow.

Mr. Deputy Speaker: Very well.

Proceed, Mr. Sudi!

RETRENCHMENT OF PUBLIC SERVANTS

Mr. Sudi: Thank you, Mr. Deputy Speaker, Sir. On Thursday last week, I sought a Ministerial Statement from the Minister of State, Office of the President regarding the intended retrenchment of Public servants. Why was the Statement made to the nation through the Press and not through Parliament? I had requested that he gives the breakdown on the basis of job group, ethnicity and sex---

Mr. Deputy Speaker: Mr. Sudi, what are you after?

Mr. Sudi: I am asking for a Ministerial Statement.

Mr. Deputy Speaker: But you have already asked for the Statement. Do you want to know when it will be brought?

Mr. Sudi: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: So, why do you want to go into the details of its contents? So, just ask Mr. Dzoro when he is going to bring the Statement.

Mr. Sudi: When are you going to bring that Statement, Mr. Dzoro?

Hon. Members: *Saa hii!* Today, today!

The Assistant Minister, Office of the President (Mr. Dzoro): Bw. Spika, tutaliangalia jambo hilo kesho. Asante.

Mr. Deputy Speaker: Order, Mr. Dzoro! You do not tell the House "*tutaangalia*"!

The Assistant Minister, Office of the President (Mr. Dzoro): Nitaleta taarifa hiyo kesho.

Mr. Deputy Speaker: Yes, you are supposed to say that you will bring the Statement tomorrow, and not that "*tutaangalia*". We do not want to be casual here.

Finally, proceed, Mr. Omingo!

Mr. Omingo: Thank you, Mr. Deputy Speaker, Sir. I stand to seek a Ministerial Statement from the Minister of Energy.

Last night when I was in Parliament, one arm of the Government experienced a power blackout for 15 minutes. I want the Minister to come up and state what he is doing to ensure that this very important arm of the Government is consistently supplied with electricity. In the future, the Minister should ensure that the Business of this House is not jeopardized and the assurance of the security of Members of Parliament both here and at the Continental House.

The Assistant Minister for Energy (Mr. Kiunjuri): Mr. Deputy Speaker, Sir, I would like to apologize to the hon. Members who were inconvenienced. However, the hon. Member should also demand another Statement from the Clerk of the National Assembly because he is part of the team responsible for the efficiency and supply of power in this House. However, we shall issue the Statement immediately we resume Business after the recess.

Mr. Deputy Speaker: Very well. Next Order!

What is it, Dr. Ali?

Dr. Ali: I wish to inform the hon. Member that Parliament has bought a standby generator. The Kenya Power and Lighting Company (KPLC) was given over Kshs4 million over a year ago to do the job, and they have not done it. Can you do that job instead of blaming the Parliament?

Mr. Deputy Speaker: Dr. Ali, I know that you are a Member of the Parliamentary Service Commission. But now, you are trying to defend Parliament at the wrong time. Let us wait to hear what the Assistant Minister will bring, and then that can come as a by-the-way. But we appreciate your information.

Next Order!

Mr. Wambora you were on the Floor, and you have a balance of 10 minutes.

MOTION

ESTABLISHMENT OF MECHANISM FOR RECRUITMENT INTO PUBLIC SERVICE

THAT, taking into consideration that all constituencies, districts and regions have many school leavers and unemployed youth; aware that in the past some Kenyan communities were left out or under-represented in the recruitment of their youth into the public sector; this House urges the Government to set up a mechanism to ensure that recruitment into the Civil Service, Armed Forces, Police Forces, Prisons Department, National Youth Service and other public institutions are not only based on qualifications, merit, competence, etc but also on equitable constituency, district and regional distribution in relation to their respective population densities.

(Mr. Wambora on 12.5.2004)

*(Resumption of Debate interrupted
on 12.5.2004)*

Mr. Wambora: Thank you, Mr. Deputy Speaker, Sir. May I start by recapping on what I said last time.

I was addressing myself to the Motion, whose purpose is to ensure that recruitment into the Civil Service, Armed Forces, Police Forces, Prisons Department, National Youth Service and other public institutions are not only based on qualifications, merit, competence, et cetera but also on equitable distribution in every constituency, district and regional distribution in relation to their respective populations densities.

Mr. Deputy Speaker, Sir, I want to make it absolutely clear that here we are not talking about just one set of criteria, which is merit, as reported by the *Daily Nation* last Wednesday, 13th April, 2004. They distorted my Motion in the paper that I was talking of recruitment into the Public Service by merit only. What I said was that recruitment should be based on qualifications, merit and by competence. That is all right.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Ethuro) took the Chair]*

However, that is not enough because we have seen very bad effects of recruiting on the basis of only one set of criteria. That is why this Motion has become necessary. It is desirable that even when we base it on merit, qualifications and competence, we must be sensitive to all regions, districts and constituencies of this country.

Why is this Motion timely? This Motion is timely for two main reasons. One of them is the fact that if you look around the countryside at all the urban centres and rural townships in this country, you will not come across any district, region or constituency which is not having thousands of school leavers and unemployed youth. The main feature we see when we travel around the countryside and even urban areas is that of idle and unemployed youth everywhere. It is now a permanent feature for the last 20 or so years, and it is getting a bit out of hand. I will not be wrong to say that the unemployment rate at the moment is over 40 per cent, and it is mainly comprising of the youthful portion of the population; which is a very dangerous situation. We are talking of the most energetic people who can use their energy very destructively when they are not in employment. The only difference between one constituency, district or region and another one is only the numbers or the quantity of unemployed youth. Otherwise they are everywhere. Wherever we go, they are everywhere. That is what makes it imperative to consider that phenomenon, which can be very destructive in a country.

Secondly, I am sure that we are aware that in the past to date, the constituencies, regions and districts which have significantly benefitted from recruitment into the Civil Service are exceptionally very few. The majority of the districts, constituencies and regions have not benefitted much from recruitment into the Civil Service for reasons which I mentioned earlier, which I do not want to repeat today. This has been as a result of favouritism, ethnicity, tribalism and nepotism. I do not want to go into the details of that.

Mr. Temporary Deputy Speaker, Sir, at this stage, I would like to address myself to what has resulted from the unfair recruitment into the Civil Service. The unfair recruitment which does not take into account equitability has resulted into three major consequences. First, many youths from most of the constituencies, districts and regions have missed their life long opportunities to critical skills and knowledge offered by a wide range of public training institutions. They have not managed to join medical training colleges, the Police Force or the Armed Forces or the national polytechnics.

Secondly, many youths have missed opportunities to lower and middle level employment in the Public Service. The third consequence of this phenomenon has been the under-utilisation of the Kenyan talent. When we do not admit the youth who have completed Form IV in training institutions to acquire skills and we do not employ our graduates, we are completely not utilising the human resources of this country. We have noticed that the unfair way of recruitment which is not sensitive to equitability in terms of regions, districts and constituencies, can easily bring about political instability. One cannot over-emphasise that issue because it is quite clear.

Mr. Temporary Deputy Speaker, Sir, what benefits are we likely to derive by passing and implementing this Motion? They are many and very significant. First, we expect more political goodwill from all the communities of this country. The moment there is no favouritism in the

recruitment of our youths to public training institutions and to the Public Service, there will be a lot of goodwill from all the communities in this country. That is what we want. Secondly, this will ensure a fairer and more equitable access to public jobs and into public training institutions. This is desirable because these facilities have been built with the taxpayers' money. Thirdly, this will ensure a balanced utilisation of human resources from all parts of the country. We do not want just to develop a few parts of this country, but all parts. So, that balance is desirable for a balanced economic growth.

Mr. Temporary Deputy Speaker, Sir, may I now look at the reasons why equitability at the constituency, district and regional levels must be based on population density. I want to address myself to the reason why we are not just confining ourselves to the constituencies, but to the districts and the regions, and why we are not using any other criteria like the poverty index. First, we are talking about numbers. We are not talking about the status of the facilities where you need the poverty index to enhance the facilities. We are talking about the numbers of the unemployed youths in every district in this country. When we talk about the numbers of the unemployed youths, they differ from constituency to constituency, from district to district and from region to region. That is why the issue of population density becomes critical.

Secondly, we are talking of population density as an equalisation formula because the number of vacancies in the various public training institutions and public organisations differ from constituency to district and from district to province. There is need to illustrate this. For instance, vacancies which should be equitably distributed at the constituency level will involve recruitment to medical training colleges, teachers' training colleges, the police force, the armed forces, the National Youth Service and the Prison Service, where each of these categories has more vacancies than the number of constituencies. This criteria of equitability cannot apply at the constituency level because where the category of vacancies are fewer than 210 - we have 210 constituencies - we will now address equitability at the district level and not at the constituency level. That is clear enough and it does not require any elaboration.

May I go to the third level of the regional---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Wambora! Time is up!

Mr. Wambora: Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to move, and call upon Mr. M. Kariuki to second the Motion.

Mr. M. Kariuki: Thank you, Mr. Temporary Deputy Speaker, Sir, for this opportunity. I am privileged to second this Motion. First, we live in a country that we are trying to create into a nation state. We come from different ethnic and geographical backgrounds. It is important in pursuing public policies to pursue policies that unite Kenyans and make them look at themselves as one people. We would like to have our institutions reflect the diversity of our country in terms of geographical spread and our ethnic backgrounds.

Mr. Temporary Deputy Speaker, Sir, when you want to get what Kenyans feel about the Government, just listen to them when appointments are made to particular positions. That is the time they vent their grievances and they will always look at the list and ask whether one of their own is on that list. So, in fact, their loyalty to the Government, very much depends on the manner in which we conduct public appointments, the manner in which we avail opportunities for training and other appointments in our parastatals.

It is important that as we move forward as a nation, we stress merit because only merit will save this country. Over and above merit, we must look at other factors that might result into a form of affirmative action by ensuring that even those who have been left out on merit are, at least, represented in Government appointments. For that reason, I wish to second this Motion. I would like to say that we have a Public Service Commission which is supposed to recruit people strictly on

merit. That has not been the case because more often than not, public servants have been manipulated by politics. We would like to have a situation where the Public Service is clearly fortified from political manipulations. We would also like to have a Public Service that is guided by a proper public policy in terms of representation of our diversity. It is true to say that the largest district in Kenya today in terms of population is Nakuru. Today, Nakuru has 1.7 million people, and there is no other district in Kenya that has even a half of that population. It is important that in formulating this policy, we consider the density of the population. When I see recruitment of, for example, the armed forces taking place around the country - Let me say that last year, only 14 persons were recruited into the armed forces from Nakuru District with a population of 1.7 million. We have other districts with less than 500,000 people who got more than 100 people recruited into the armed forces. This is unfair. We would like a situation where population density is taken into account so that people can feel that they are being treated in a fair manner. We want a Government that is all inclusive, so that if we are recruiting our armed forces, for example, we would like to have all corners of this Republic reflected in that particular recruitment.

Mr. Temporary Deputy Speaker, Sir, in the recent past, there has been recruitment of nurses. I hope the Minister for Health is here, and only a few centres were opened up for recruitment of nurses. There was a centre in Garissa and others in Nairobi, Mombasa and Kisumu. All the other major parts of the country were left out. I do not know how the Minister expected the people in a district like Nakuru to avail themselves for recruitment into the nursing profession. It is important that in recruiting our personnel, we open up centres all over the district, and if possible centres all over the division, so that people living in the so-called "back waters" of this Republic can have an opportunity to come forward and offer themselves for recruitment opportunities.

Mr. Temporary Deputy Speaker, Sir, I am mindful that in the recent past, there have been a number of parastatal appointments in the Government, and I would like to confine my concern to Nakuru. Nakuru District is a major producer of pyrethrum. We produce about 50 per cent of the pyrethrum in Kenya. When it came to appointment of the board of directors of the Pyrethrum Board of Kenya (PBK), besides there being very clear provisions in the Act, that the distribution of the members of the board must relate to the production level, we barely got the 50 per cent of our production. We are very concerned that the Chairman and the Managing Director are strangers to the district of Nakuru. There is a sense in which people must feel that what they produce is being protected by their own people taking charge. We are getting strangers running our own parastatals, and our own people who produce pyrethrum are being ignored in the appointments.

Mr. Temporary Deputy Speaker, Sir, if you look at the appointments in the interim board of the KFA - by the way, KFA is a major farming centre in this Republic located in Nakuru District - hardly did Nakuru get anything. There was only one member. There is a sense of grievance among the farming fraternity that they are being marginalised. These are the kind of things that have to be looked into. Look at the KCC - I commend the Minister for having done a good job in terms of reviving it - we produce more than half of milk in this country. Whom do we get in the interim board? Strangers from the rest of the country and we are ignored. This is the kind of grievance we are talking about. Unless we address it, as Mr. Wambora has said, it is going to create political instability. People cannot have confidence in the Government when they are not considered in vital appointments and, particularly when they are party to the production and the development of this country.

Mr. Temporary Deputy Speaker, Sir, it is important, as we relate to one another as a nation State, we begin to appreciate one another and we begin to appreciate that each one of us has a role to play in the development of this country. I think that is why I embrace the spirit of this particular Motion. There are some issues that we are afraid of confronting at the political level, to say that we

are being marginalised because of this and the other reason. I think the Motion will set up a principle, that in the future, the Government will embrace a principle that will be able to inspire public confidence across the board. I think this is a very good Motion, coming at this particular time. I would like to propose, that in the fullness of time, this is the principle that the Public Service Commission should be called upon to embrace, because sometimes when people are listed on the order of appointment, questions are raised. It is true that you can follow the order of merit and find that certain areas have been left out because they did not have qualified people. That is why we have the concept of affirmative action. Because, if all the people with merit happen to come from one district, it becomes an issue of concern. How do we put the pace of diversity of Kenya in those appointments? Then we shall resort to the affirmative action to make sure that the shortfall created by the merit system is then taken care of.

Mr. Temporary Deputy Speaker, Sir, the recruitment into institutions of learning; the teacher training colleges, the medical training schools and many others, has also raised concern. We know that there are many qualified people. Where we have qualified people all over the country, maybe it is time we looked at the question of creating quotas. If we have 2,000 qualified Kenyans to go to medical training schools and they come from across the country, it is important we think about the quota so that people feel represented. We have more people than there are places to absorb them. So, the best way forward is to ensure that in accordance with the population and in accordance with the number of qualified people in the respective districts or constituencies, a certain quota is fixed and then the people in that particular district compete for that particular quota. That way, they will feel that they have been represented in those particular appointments. I think this is what Kenyans are craving for; to feel they are part and parcel of the Government of the day. The Government must take this matter very seriously, because if we are going to strive for this embus of this content which is really beginning to be seen all over, it is important that we look at these issues, and each appointment is important and has to be transparent. That is why I am saying, anything that has to take place from now onwards, whether it is recruitment into the armed forces, the police or the National Youth Service, Kenyans must be made to know that this particular district or constituency has had so many people on board. That way, we will be able to move forward.

Mr. Temporary Deputy Speaker, Sir, it is also important to realise that when people are called for interviews, sometimes it becomes a matter of going through the motions because another set of people has been short listed. An individual is made to believe that he or she went through the interviews and could not meet the merit. I think when people know that they are competing for a fixed number of places, even if they fail and they know their district is getting so much of its quota, they will feel quite satisfied if they are left out.

On that note, I beg to second this Motion.

(Question proposed)

Mr. Rotino: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. Before that, I beg to move:-

That, the Motion be amended by deleting the words "districts" and "regions" where they appear in the Motion.

Mr. Temporary Deputy Speaker, Sir, I am saying this because this is an era of constituencies or devolution. We have been talking about the Constituency Development Fund and the bursary funds going to the constituencies. We want to devolve power to the constituencies. We would like to strengthen the constituencies, because that is where the strength of a politician or an hon. Member of Parliament is. When there is a committee that is going to look at the population in a constituency,

that will be a crucial focal point to refer all these. If this Motion is amended, it will go a long way in supporting the development of constituencies. This Government must put affirmative action in place.

I come from West Pokot District where we have three constituencies. Kapenguria Constituency is central in this District. Any time there is recruitment of officers to the armed forces, the police, teacher training colleges and even to the Kenya Medical Training College (KMTC), people have to travel to Kapenguria. At the end of it all, Sigor Constituency suffers because it is far from the recruitment point. Kacheliba Constituency also suffers because those interested in the recruitment exercise must spend Kshs200 on transport one way. From Malale one has to spend upto Kshs500 to go to Kapenguria where the recruitment exercises are conducted. The question of proximity creates a disadvantage to the youths who are willing and capable of getting the jobs. I want this Motion to accept constituencies as the focal point for all kinds of recruitment, so that all our youths in all the constituencies, especially in rural areas, are considered. Any form of recruitment exercise should be done in the constituencies, so that the youth can get the opportunities.

I feel that when recruitment takes place, even here at the National Assembly which is supposed to portray a good image in this country, we do not consider employing people on a constituency basis. I challenge the Parliamentary Service Commission (PSC) on that. How many people from Turkana or Pokot Districts are employed at the National Assembly? Recently, many people were recruited to work for this Parliament. There are only two people from West Pokot District out of 300 employees. We have none from Sigor Constituency. This Parliament must show Kenyans that every tribe, including the El Moro, is found here. Every ethnic community must be found in this Parliament. I challenge the PSC to advertise jobs and send the advertisements to all the constituencies, so that people in remote constituencies get a chance to work in Parliament.

Hon. Members of Parliament from certain constituencies are disadvantaged. They do not find anyone here from their communities to converse with. This is discrimination in Government employment. In some Ministries, you will only find one community represented in a group of at least 3,000 workers. There are Ministries that completely discriminate against other communities on the pretext that they cannot perform well in certain jobs. Many people have now gone to school and are educated. Forty years after our Independence, we have many graduates and form four leavers in almost every community. Recruitment exercises must be conducted at the constituency level. I urge hon. Members to support this amendment so that we may help our people.

Mr. Temporary Deputy Speaker, Sir, in the recent recruitment of nurses, Pokot District was given only 15 chances. Of the 15 recruits, only eight were Pokots. Seven chances went to people from other communities. The eight Pokots who were given the chances were from Kapenguria Constituency, which is the district headquarters. Sigor and Kacheliba Constituencies were disadvantaged.

My colleague from Mbeere District Constituency is nodding. His constituency is also disadvantaged because it is just as remote as mine. We should focus on constituencies so that our people are assisted.

We had the police recruitment exercise conducted very recently. This recruitment exercise was based at the district level and was very discriminative. We want affirmative action to be applied, and all recruitment done at the divisional headquarters of constituencies.

I beg to Move the amendment.

Mr. Serut: Mr. Temporary Deputy Speaker, Sir, I stand to support the amendment. I would like to add my voice to what Mr. Rotino has said. Let us move to the constituencies. The youth of this country go to school because they believe that after school, they will find jobs. Unless

we take the recruitment exercise to their door steps, there is no way they will access job opportunities. The reason for this is facilitation in education. You cannot compare the children of Mount. Elgon District, who have no classrooms or desks, to those of Nairobi Area, if you were to rely on merit.

By taking the recruitment exercise to the constituencies, we will recruit a child from Mount. Elgon District, which is disadvantaged as far as passing national examinations is concerned. Recently, children have been recruited to the National Youth Service (NYS) from Nairobi streets. Who is the Government recruiting? Is the Government not encouraging children to go to the streets because they know that once they are there, they will get the chance of joining the NYS, the army and the prisons? After the first recruitment of street children to the NYS, there are so many other children waiting in the streets. They know that it is the easiest avenue to join the armed forces. I am asking the Government to stop recruiting from the streets. Street children should go back to their constituencies and be recruited from there. During recruitment exercises, identity cards of those being recruited should be scrutinised for the purpose of identity. This will prevent youths from invading districts other than their own because they have good grades.

I support the sentiments expressed by Mr. M. Kariuki. He said that every constituency should be given its quota so that the youth of this country can fight for chances of their own quota. We experienced a lot of discrepancies during the recruitment into the army late last year, where some districts were given six slots while others were given over 300 slots. We do not know what criteria was used by the Government. The solution to this problem is taking recruitment to the constituency. This should not only be done in the armed forces, but should involve civil servants of all cadres. Whatever opportunities are available should be given to the youth on a quota basis.

Mr. Temporary Deputy Speaker, Sir, there is a lot of poverty inflicting our society. You will see that the poverty index in this country varies. I would also suggest here that while carrying out the recruitment we should also consider the poverty index when the vacancies available cannot cater for all the constituencies, so that we can at least narrow the gap between the rich and the poor. I know that children of the rich have managed to go to good schools, because they can afford them. The only way a poor person can take his children to school is by having a small job somewhere. That is the only way he can enable his children to access education.

Some hon. Members have talked of accessibility to recruitment. Let equitability to recruitment be accompanied by equitability. Without equitability very few youth from certain regions will access recruitment to various institutions.

With those few remarks, I beg to second the amendment.

*(Question, that the words to be
left out be left out, proposed)*

Mr. Khamisi: Ahsante Bw. Naibu Spika wa Muda. Kwanza ningependa kusema kwamba ninaunga mkono Hoja hii, ambayo imetolewa hapa ingawa ninapinga yale mabadiliko ambayo yalikuwa yamependekezwa. Katika sehemu nyingi, hasa Kilifi ninakotoka, kwa miaka mingi zimekuwa zikisahauliwa katika uteuzi wa wafanyakazi wa Serikali na maafisa wa kijeshi na polisi. Tumeona jambo hili likitendeka kwa muda mrefu. Hata mwaka uliopita hali haikubadilika ingawa tumelalamika kwa siku nyingi kwamba tunapunjwa katika utoaji wa nafasi katika mashirika ya Serikali. Kwa sababu hii maeneo kama haya yangukuwa yanapewa kipeo mbele ili yaweze kupata maendeleo fulani na kuweza kuyafikia yale maeneo ambayo sasa yamefaidika kutokana na keki ya kitaifa na ya Uhuru.

Ukiangalia katika mashirika au utumishi wa Serikali utaona kwamba teuzi za maafisa

zinafanywa kwa njia ambazo hazieleweki. Mpaka leo miaka 40 ya Uhuru imekuwa shida kwa sehemu ya Kilifi, na hata Pwani, kujidai kwamba inao wakuu wa wilaya, wakuu wa mikoa au hata mabalozi katika Serikalini. Hii tunaona ni njia mbaya ya kujaribu kujaza nafasi katika Serikali.

Tungesema pia kwamba uteuzi katika jeshi la Kenya na jeshi la polisi tunaona kwamba mara nyingi watu hutolewa kutoka sehemu za bara na kuletwa katika Pwani, hasa Kilifi, kuandikwa kazi kana kwamba wanatoka katika sehemu hio. Tunasikitishwa sana na jambo hili na ndio sababu tunaunga mkono Hoja hii. Tungependa ugawaji wa nafasi katika Serikali utolewe kupitia sehemu za uwakishilaji wa Bunge, ili kila sehemu iweze kupata nafasi ya kuwakilishwa katika mashirika ya Serikali. Tunataka kila sehemu ipate nafasi ya kuwakilishwa katika vyuo mbali mbali vya Serikali, ili wanafunzi wetu waweze kujimudu na kujiendeleza kimaisha.

Bw. Naibu Spika wa Muda, ninaunga mkono Hoja hii kwa sababu italeta usawa katika ugawaji wa kazi. Tunajuwa kwamba kuna umaskini mwingi katika sehemu zetu, na tuna vijana wengi ambao wanamaliza masomo na ambao hawawezi kupata nafasi kupitia njia za kawaida. Hii ndio sababu mara nyingi Wabunge wanatumwiwa kuandika barua za kusukuma maombi ya kazi. Sidhani kwamba hii ni kazi ya Mbunge. Ikiwa kuna usawa basi utajitokeza katika ugawaji wa kazi. Hii ikitendeka itakuwa si lazima kwa Mbunge kuandika barua kusukuma maombi ya kazi ya mtu yeyote. Hili ndilo jambo linalofanyika hivi sasa.

Katika ugawaji wa kazi tunajua kwamba watu hawawezi kugawiwa kazi za Serikali sawa sawa katika maeneo yote ya uwakilishi. Ndipo tunasema kwamba iwapo kuna nafasi chache zinafaa zigawanywe kupitia wilaya au mikoa ili kuwe na usawa katika ugawaji katika sehemu mbali mbali. Ikiwa tutakataa kufanya hivyo, basi inaonekana nafasi za kazi zitatolewa kwa sehemu ambazo zinajimudu zaidi kushinda zile sehemu nyingine.

Kwa mfano wale watoto wa mitaa ambao wametajwa, ambao walichukuliwa katika National Youth Service, nafasi hizo zilichukuliwa na watu ambao wanatoka katika miji mikuu kama Nairobi, Kisumu na Mombasa. Watoto wa mitaani katika miji midogo kama vile Kilifi hawakuchukuliwa. Ningeomba maeneo madogo madogo yapate kufikiriwa ili yapate kuwa na watu katika kazi ya utawala.

Tumesema kwamba tuna ukosefu wa wakuu wa mikoa na wakuu wa wilaya. Pia tuna ukosefu wa mabalozi. Mabalozi wanachaguliwa kutoka sehemu fulani na hatuoni hata mmoja anayechaguliwa kutoka sehemu ya Pwani. Hili ni jambo la kusikitisha sana. Hakuna hata mkuu wa mkoa, mkuu wa wilaya au balozi mmoja ambaye anatoka Kilifi. Hatuelewi kama tuko Kenya au katika taifa lingine ambalo halijulikani liko wapi.

Tungependa, kupitia Hoja hii, Kilifi ipate kitu kidogo ambacho tunaweza kurudisha nyumbani na kuwaambia watu wetu kuwa tumepata kwa sababu tumeiunga Serikali ya NARC mkono. Tunataka tuwaambie: "Tuliipa NARC kura nyingi zaidi katika uchaguzi uliopita, na hii ndio zawadi tumeleta nyumbani. Lakini hivi sasa Serikali hii haina mpango maalum wa kuwasaidia watu wa Kilifi na hali waliipigia kura Serikali ya NARC kwa wingi. Kwa hivyo, ingawa Serikali iliyokuwepo ya KANU ilitusumbua, pia Serikali ya NARC inatusumbua.

Bw. Naibu wa Spika wa Muda, ninaunga Hoja hii mkono kwa dhiti kwa sababu ninajua tukiipitisha na kuitekeleza kama inavyohitajika, bila shaka manufaa yatakuwa ni yetu. Shida kubwa ni kwamba tunapitisha Hoja kama hii kwa dhiti, lakini inapopita, Serikali inaipuuza. Ningeomba Serikali itilie Hoja hii maanani kwa sababu ni ya muhimu sana ili wananchi wafaidike sawa na wafurahie matunda ya Uhuru ambayo waliyapigania miaka mingi.

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

*(Question, that the words
to be left out be left out,*

put and agreed to)

Mr. Wario: Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to this Motion. However, I am so disturbed by the way this Motion is structured. I, therefore, beg to move that this Motion be further amended as follows:-

By deleting the words, "in relation to their respective population densities" as appears after the word "distribution" in the second last sentence.

Mr. Temporary Deputy Speaker, Sir, the reason for this further amendment is that we have to treat our youth equally despite the fact that, a child may come from a majority or minority community. I would like to see fairness and equality in relation to recruitment of the youth in the public sector. For example, during the last military recruitment exercise, if you compare the number of recruits from Tana River District and those who were selected in some districts in Central Province, you will be shocked. That is why I would like to see equality exercised in this country. Laws should be made to protect the minority and not the majority. We should not allow a situation whereby we use a numerical force to marginalise the already marginalised communities. Districts in the ASAL areas have been marginalised for the last 40 years. Therefore, I would like to see fairness in this exercise. Our people did not get the opportunity to be recruited in the armed forces. It is dangerous that there is a Motion before this House asking us to empower the majority to oversee the minority. I would like Mr. Wambora, the Mover of this Motion to look at the rights of the children of the ASAL areas. I would like him to recognise that the minority communities have equal rights as the majority communities in this country.

Mr. Temporary Deputy Speaker, Sir, if we use population density as a parameter to offer employment to our youth, then this will be really dangerous and unfair. It is only the colonialists who would think of that parameter, but not a man in independent Kenya. I would like Mr. Wambora to recognise that the Kenyan children are looking at him. Despite the fact that some of them come from Bura Constituency, they would like to be treated equal to children from Central Province. Our people are already marginalised due to certain factors such as lack of some important education facilities. So, if we will use population density as a parameter to give employment to our youth, this is further marginalisation. This is the only reason I am trying to move a further amendment to this Motion. This is a very good Motion, but we have to do away with the population aspect of it. Now that we are focusing on the constituencies, let us not use numbers to marginalise the minority.

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

Mr. Salat: Mr. Temporary Deputy Speaker, Sir, I beg to second the amendment as moved by Mr. Wario.

I must take this opportunity to thank the Mover of the original Motion, Mr. Wambora for actually bringing it to this House. For him to have thought of looking at the distribution of our natural resources in this country in a way that would reflect our diversity, I must say that it is long over due in the sense that we need to look at Kenya, as a nation. For so long, some communities in this country have actually enjoyed the fruits of Independence more than others. This Motion in itself seeks to address that. So, as the representatives of the people, we should also be seen to be representing even the minority.

This amendment which further seeks to delete the words, "in relation to their respective population density" goes to reflect the wishes of this country that even those small minorities have to be considered in the sharing of the national cake. I do not want to go into details, but as we have seen, employment today and in the past, has always had a political angle to it. Appointments are done on the basis of tribe or community. However, it is about time we brought that to an end. We should also struggle to have a new Kenya where even the rights of those of the smallest tribes, for

example, the Oromo, are respected.

Mr. Temporary Deputy Speaker, Sir, since the Government had promised to create 500,000 jobs, as Parliamentarians, we need to see how we can help them actually create those job opportunities. This is one of the best ways to do that; where every youth in this country will feel that they belong and they have a stake in this country. We, as Parliamentarians, have to show that this is the time we devolve power to our constituencies. We have done so through the Constituency Development Fund (CDF) and the bursary funds. We should continue to do so because we know the people who feel the pinch are those who do not make it here, but we are here on their behalf.

Mr. Temporary Deputy Speaker, Sir, at the moment, some Ministries have a bigger representation of employees from one community. For example, if you look at the Ministry of Education, Science and Technology, it is very sad that most of its top officials are from one community. That anomaly is what we want to change; we want to send a very strong message to this country that we will not condone such over representation by one community. I do not just want to point at the Ministry of Education, Science and Technology, but I also would like other Ministries to have a fair reflection of what this country is all about; it is about diversity and that diversity has to be represented in all our institutions.

We have seen how recruitment exercises of the police and army officers have been conducted in the past. These exercises compelled hon. Members to even move Motions in this House to seek to know how they were done. If this Motion is adopted by this House, we will have actually made a stride in the right direction, to show that this country is about all of us, and not one single individual. I would like to know that the children in Bomet, the youth in Mombasa and every part of this country are represented in this country through such Motions.

With those few remarks, I beg to second.

*(Question, that the words to be
left out be left out, proposed)*

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, first of all, allow me to congratulate the original Mover of the Motion for bringing this Motion to the House. After consultations, we, as hon. Members of both sides of the House, agreed to the initial amendment to the original Motion to make it constituency based, rather than including amorphous districts and regional basis. That was for a very good reason. Constituencies reflect, by necessity, population density. You cannot have a constituency which does not meet certain factors or criteria. If we limit this Motion to the constituency, we will be doing justice and service to this country. On that basis, I would like to oppose this new amendment and appeal to my brothers to concur with the rest of the House on the issue.

The need for equitable distribution of jobs in the public sector cannot be gainsaid. That is why there has been a lot of hullabaloo at the Bomas of Kenya about devolution. That is because many people in this country have suffered tremendously because of discrimination. Some areas have been ignored in terms of development, recruitment and many other things that should, of necessity, belong to them by virtue of being members of this nation. We know for certain that, in the past, tribalism, nepotism, clannism and even the "home-boy mania" has been the order of the day. This Motion proposes that, in the public sector, we avoid that kind of situation. When there is a recruitment, we should not look at our home clans, our drivers and so on. Even in some parastatals in the public sector, you will find somebody employing a driver and secretary from his home town. In some organisations, you might find the managing director, his assistant and even the accountant come from a particular area. That cannot effectively reflect the Kenya that we ought to reflect in our

public institutions.

Mr. Temporary Deputy Speaker, Sir, I would like to say that there needs to be a proper balance in the distribution of jobs in the public sector. Even scientifically, if you look at genetics, you would find that every human being has got some genetic make up. Genetics has a lot to do with human nature and what human beings are bound to do. If you get people from one area and their genes are related to looting or something like that, then all the people from that area will tend to loot, if they are employed. Therefore, scientifically, it is necessary for us to assure this nation that we will look at the wider population to make sure that everybody is represented in the public sector.

I would like to lay emphasis on that fact that, we have organisations based in particular areas. Even the cheapest labour in those organisations will be imported from where the managing director comes from. For example, in the Kibos Sugar Research Station (KISRES) in Kisumu, it is a shame that there is discrimination against local people, who can do manual labour from their households, without renting houses! They are ignored! The managing director, who has been given the job by the Government, imports people from as far as Kitale or Mombasa, just because they come from that area. That kind of thing must be avoided.

Mr. Temporary Deputy Speaker, Sir, we have to admit that recruitment in the armed forces has been abused. That goes for all arms of the armed forces; that is, the military, police, prisons and even the National Youth Service (NYS). Tribalism, nepotism and clannism has been the order of the day. We need to give a balance to the national institutions. There is grave danger in having one institution dominated by one ethnic community or group. We want to be sure that, that will be reflected in terms of population density. We also need to look at the qualifications that are necessary for such jobs.

Mr. Temporary Deputy Speaker, Sir, there was a time when some organisations were seen to be Kikuyu organisations, just because the then president of the country was a Kikuyu. Then, there was a time when we had a Kalenjin president and some organisations were referred to as Kalenjin organisations. We do not want to have that because, Mr. Maitha or I could also be a president! We do not want to assume that when Mr. Maitha will become the president, there will be Miji-Kenda organisations. We want Kenyan organisations reflecting the Kenyan population. Therefore, we must have equitable distribution.

Mr. Temporary Deputy Speaker, Sir, let me, just briefly, refer to the Rwandan situation. The genocide that occurred there was because of ethnicity. That must be avoided at all costs! The membership of the armed forces in Rwanda at that time was based on ethnicity. That is what we must avoid. We must, at all time, encourage tribal integration. The people in the armed forces must come from all areas of this country. Even the other day, there were indications that we could be facing a similar problem. There is a media marveric who has shown some rogue tendencies that he can do anything in the world! He can do whatever he wishes without any regard to the laws. What can assure us that, if he has serious disagreements, for example, over the constitution review process, he would not go and incite civil strife to the extent of having a genocide in this country? That is why we need to have equitable distribution of our people in all areas of the public sector.

I would like to commend the armed forces of Kenya for being very nationalistic in the way they have handled matters affecting this country. But that must also be reflected in the recruitment of those fellows. I would like to say here now that, as a Member of Parliament from Nyanza region, our people have suffered tremendously from all angles. Whether it is in the recruitment into the armed forces, posts in the public sector or even in education, Nyanza has always been treated as if it is a pariah nation; a nation within a nation which is treated differently. There are even more roadblocks in Nyanza than anywhere else. We have been treated so badly. We need to be treated like Kenyans. This Motion is one of the ways in which the people of Nyanza could be treated fairly

like others in this country. When we ensure fairness, equitability, transparency and accountability in the recruitment of our people in the armed forces, we will ensure that we will have a Kenya that we could build together.

Mr. Kamama: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to refer to Nyanza as a nation, while we know that it is a province in the Republic of Kenya. It is not a nation!

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, the hon. Member is only displaying that his knowledge of English is in a grey area. That is because we can refer to the Luo community as a nation. I said "a nation within a nation". I could give a lecture on that. What I was saying---

(Loud consultation)

Mr. Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! Proceed, Mr. Sungu.

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, I was just emphasising the fact that, that part of the country has been treated badly! We do not want that repeated at all.

Mr. Poghio: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard very clearly the hon. Member on the Floor casting aspersions on another member, especially with regard to his language. Is he in order?

The Temporary Deputy Speaker (Mr. Ethuro): Order! Order!

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, I can withdraw and apologise.

The Temporary Deputy Speaker (Mr. Ethuro): Order! Mr. Sungu, you are at liberty at any time to apologise, but I was actually going to say that the point raised by Mr. Kamama was not really a point of order and so it was not an issue for the Chair to consider.

(Laughter)

Mr. Sungu: But, Mr. Temporary Deputy Speaker, Sir, with all due respect, hon. Kamama is my friend and I have no problem at all apologising and withdrawing the remarks if I ever offended him, because it was not intended to be so. Our relationship has been very good. But the essence of my statement is that you can refer to the Kikuyu nation, the Kalenjin nation and so on. It is perfect and acceptable in the English language.

Mr. Temporary Deputy Speaker, Sir, what I was emphasising is that there has been discrimination against the people of Nyanza because of bad politics. This kind of thing can only be discouraged when we pass such a Motion.

Mr. Temporary Deputy Speaker, Sir, because I know there is a lot of interest in this matter, with those few remarks, I beg to oppose the amendment and support the original Motion.

*(Question, that the words
to be left out be left out,
put and agreed to)*

*(Question of the Motion as
amended proposed)*

The Assistant Minister for Agriculture (Mr. J. Nyagah): Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion. I also want to thank my neighbour from Embu, Runyenjes

Constituency, for bringing the Motion to this House. This Motion clearly shows the map of Kenya and the Mover is addressing the map of Kenya. He is addressing what Prof. Maathai calls "the 42 mini-nations that form the nation of Kenya."

(Applause)

*[The Temporary Deputy Speaker
(Mr. Ethuro) left the Chair]*

*[The Temporary Deputy Speaker
(Mr. Poghisio) took the Chair]*

Therefore, I want to thank the Member for Runyenjes, hon. Wambora, who is my neighbour and a friend, and who speaks the same vernacular language as I do, for having brought this Motion here.

Mr. Temporary Deputy Speaker, Sir, I would like to also thank hon. Nyachae. When he was the Chief Secretary, almost becoming the Prime Minister, he introduced a concept which was called District Focus for Rural Development Strategy. In very simple language, this is precisely what he was trying to do. Hon. Wambora was a District Officer and later on a District Commissioner, and obviously he learnt a lot from Mr. Nyachae when this process was introduced.

When I was a big man, Managing Director of Kenya Airways, Chief Executive, I recruited employees based on this basis. That is how the Member for Isiolo South, Mr. Bahari, became a management trainee under my tutorship, because I took employees from every district of Kenya. Even the cleaners were from every district of Kenya.

(Applause)

That is the advantage of coming from a small tribe as I do, because you have to look at the interests of other communities. There are not enough people from Mbeere to be employed.

Having said that, let me now prove why this makes sense.

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in for the Member to mislead the House that he distributed jobs across the country when he has just admitted that there were few Mbeeres, implying if there were many, he would have given the jobs to them only?

Mr. Temporary Deputy Speaker, Sir, it is true that two Mbeeres got advantaged because of affirmative action. It was also necessary for a Borana and a Mmbeere to feel that they had a chance of joining Kenya Airways. I positively gave affirmative action to those people. There is no tribe in Kenya which has complained of my days there. However, that is not the point.

Our experience in Gachoka Constituency, Mbeere District, and in our region, clearly indicates that it is necessary for jobs to be allocated on the basis that we are talking about. If you come from a small tribe, you have no District Commissioner, District Officer, Permanent Secretary or director. What opportunity does a person from that area ever have of even becoming a student at the Kenya Medical Training College (KMTTC)? It is zero! Go further in Mbeere; I have about four communities in my constituency. An indigenous Mmbeere has no chance of becoming a policeman. This is because even within my constituency, the bigger tribes are there and out of 12 army officers or police officers, on average, three Mbeere get recruited and more than seven non-Mbeere get recruited. That is why I fully support this idea of going to the constituency because it will help.

Having said that, it is also important that in future--- If I was a very powerful man in the

Government today, I would review the constituencies. Two hundred and ten (210) constituencies are not enough for some communities. Since I come from a greater community, I also know the disadvantages of some of my friends; they have suffered for not having enough constituencies. I think we need to review constituencies, in addition to what we have done, so that the issue of population density, which has been cited is not ignored.

I will have to plead with our friends on the other side to also be considerate. If we go to prisons, you will find that the biggest number of prisoners are Kikuyus, Luos and Luhyas. If you go to a bar, it is the same. So we must also, in doing this, take this into account. It is important that as we do interviews at the district headquarters, if it is the police, we put the people from Gachoka in one column and those from Siakago in another. If they are 20 people, take ten from each constituency to reflect the geography of Mbeere District. If you do it in Mbeere District, because Mbeere is cosmopolitan, automatically, Kenya is taken care of.

I am sure that my friend would also want Manyatta Constituency of Embu District to get ten and Runyenjes too, to get ten because, again, it is a reflection of Kenya.

I would also like to appeal to the Government to ensure that during appointments in parastatals and elsewhere, this formula is taken into account as much as possible. If this is taken into account, we will see maximum support. As somebody else stated, that is why, in the Bomas of Kenya, there was a lot of fight and push for devolution. The reason people wanted and supported devolution of power was precisely for some of these things. I would like to tell those who have had an opportunity in the past, like Kalenjins and Kikuyus, to be fair also to the small communities who have never had a chance, and who one day might have a chance.

My constituency provides 70 per cent of all the electrical energy in this country, but we have nobody senior in Ken-Gen and the Kenya Power and Lighting Company. In fact, I have considered telling my people to be very riotous on the ground. I have considered to be very rough, but because I am a peace-loving Kenyan, I do not want to go that far. We gave our land free; they never paid for it. So, this formula will allow my people to get senior positions in Ken-Gen, Tana River and Athi Rivers Development Authority (TARDA) and in the KPLC. It is a very fair Motion. To the Minister for Energy, I hope he is listening and this is repeated elsewhere; it is important to have a kind of quota system.

I was supporting the issue of population density because we must allow the big communities also not to feel marginalised. In America today, if you are a white male, you are discriminated against. We must be in a situation where we also do not over discriminate on the majority tribes of Kenya just because they are many. It is God who made them many. The fact that I come from Mbeere, with only 72,000 votes out of 10.5 million votes, does not mean that I should ignore our big brothers, who happen to have bigger numbers. Our big brothers should also not forget us, because we are also important and we are Kenyans. If they become difficult, we can also make life very difficult even for the big tribes. The big tribes are important and we should not ignore them. They have more educated people and economic advantages.

With those remarks, I would like to thank Mr. Wambora for bringing the Motion to this House. I fully support the Motion.

The Temporary Deputy Speaker (Mr. Poghishio): Hon. Members, I think it would be in our interest to, at this time, call upon the Official Government respondent to make his contribution and then continue.

The Assistant Minister, Office of the President (Mr. Dzoro): Mr. Temporary Deputy Speaker, Sir, the Government acknowledges the fact that there are many unemployed youths in every region of this country. However, due to uneven distribution of the population within the country, certain areas may have been disadvantaged when such youths are considered for

employment into the public sector.

In line with the District Focus for Rural Development, it has been the practice of the Government that employment opportunities are distributed equitably in all the regions designated by districts. Towards this end, recruitment in the Armed Forces, Kenya Police, Prison Service, National Youth Service, Administration Service, Teachers Service Commission and medical services has been done, and will continue to be done, in all districts in accordance with the needs of the country in an objective and transparent manner. Recruitment within departments and institutions will largely be conducted in a similar manner, but will receive a wide circulation through advertisement in the local newspapers.

The essence of candidates meeting specified requirements; that is, academic, technical and physical qualifications, is critical in order to ensure quality of personnel for specific jobs and functions.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I am very grateful for the opportunity to contribute to this Motion, which I support.

If I had any misgivings about deleting the words "equitable distribution" it is because we also appreciate that the way constituencies were decided upon in terms of boundaries was not necessarily the fairest way of doing it. I concur with Mr. J. Nyagah that hon. Members on the Opposition side should also support the Government when the issue of re-visiting the constituency boundaries comes up.

Mr. Bahari: On a point of order, Mr. Temporary Deputy Speaker, Sir. The criteria for a review of the constituency boundaries is provided for in the Constitution. Is it in order for Dr. Mwiria to say that the way the review of the constituency boundaries was done was unfair?

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, when we decide that population density is not an issue, we tend to penalise young people who come from communities that are heavily populated. We must consider that fact as we review this issue.

Having said that, I agree that the focus of development should be the constituency. We must realise that for the last 40 years, we have not been able to build this nation. This is not the legacy that we inherited from both the late President Jomo Kenyatta and former President Moi. While the late Jomo Kenyatta did not really care so much about this kind of balance, Mr. Moi just followed his *nyayos*. I think that is one of the *nyayos* he followed very closely.

Mr. Temporary Deputy Speaker, Sir, the issue of equity is critical. In our case, we have proved this in the Ministry of Education, Science and Technology. When it comes to allocation of bursaries, I think we have taken it very seriously. We acknowledge and appreciate the fact that when you take resources to constituencies, you tend to have a better impact. In this regard, I would also like to say that budget allocations should be decided on the basis of constituencies, so that we do not just have a lump sum figure for a particular Ministry. If this was done, we would make a better impact. This is because it is not quite clear how a lot of these resources are used in terms of, for example, employing extra staff and forming unnecessary commissions. So, even within Ministries themselves, there are a lot of resources that are being misused. If they were allocated to constituencies, I think, the impact is likely to be greater than what we have been seeing.

Mr. Temporary Deputy Speaker, Sir, while I congratulate President Kibaki for really being above tribe with regard to allocation of positions, I would like to complain that some of the people, especially Ministers, who have been given the authority to appoint, have introduced what we would call a new type of corruption. There are Ministries that you can visit now and clearly pinpoint the

fact that most of the senior officers come from the constituencies and the ethnic group of the Minister and the Permanent Secretary.

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard Dr. Mwiria say that he is aware of Ministries where Ministers have employed people from their own constituencies. Could he, please, be requested to substantiate that fact?

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I do not think I need to substantiate that.

Hon. Members: It is obvious!

The Temporary Deputy Speaker (Mr. Poghisio): Order! I really just want you to respond because the Standing Orders compel you to stand by whatever you say.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I did not prepare the facts to come and present here. Given a chance at a later date, I will be quite happy to do it. But, for the time being, I must withdraw the statement because I do not have the figures that I would like to use to substantiate.

The Temporary Deputy Speaker (Mr. Poghisio): Dr. Mwiria, could you then withdraw the statement?

(Loud consultations)

Order, hon. Members! The Standing Orders say a Member speaking is responsible for the accuracy of information that he gives to this House. However, when he is not ready to stand by that, he has to withdraw and continue. Saying that, "if I must withdraw," and trying to explain with semantics, does not cut it. You must stand there; apologise and withdraw the statement!

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I withdraw and promise to provide the information when I have got it.

Mr. Wario: On a point of information, Mr. Temporary Deputy Speaker, Sir. Dr. Mwiria does not need to apologise! You all know that, for example, in the Ministry of Livestock and Fisheries [**Mr. Wario**]

Development, the Minister and the Permanent Secretary come from the same location. Recently, they appointed members to the Kenya Meat Commission Board. It is surprising that the entire list of members; the chairman, vice-chairman and secretary, are all from one location in Ukambani. Why does he need to apologise?

(Applause)

The Temporary Deputy Speaker (Mr. Poghisio): Order! We must begin to take this House very seriously. Mr. Wario, you stood to give information. The only way you can prove that what you are saying is true is to substantiate by laying some documents on the Table. Are you sure you have the information that they come from the same location? Which location is that?

Mr. Wario: Mr. Temporary Deputy Speaker, Sir, to my understanding, all hon. Members of Parliament were given the *Kenya Gazette* which informed them about the appointments which were done recently. All of us have a copy of the *Kenya Gazette* in our pigeon holes.

(Applause)

The Temporary Deputy Speaker (Mr. Poghisio): Order! This is how we derail Motions.

How did we get into this in the first place? Mr. Wario, you have to withdraw what you have said because what is published in the *Kenya Gazette* does not state which location one comes from. Does it? As Kenyans, how are we supposed to know what you have said? You should make your statements with utmost care, otherwise, you will be held responsible by the hon. Member you are trying to accuse here.

Mr. Wario: Mr. Temporary Deputy Speaker, Sir, for now, I withdraw my remarks and apologise to the House. But I was saying that even if those people did not come from the same location, all of them are Kambas.

(Applause)

Mr. Munya: On a point of order, Mr. Temporary Deputy Speaker, Sir. Even in court practice, there are facts which we say---

Hon. Members: This is Parliament and not court!

The Temporary Deputy Speaker (Mr. Poghisio): Order!

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, even in law, there are facts which are too obvious and you do not need to substantiate because everyone knows them.

The Temporary Deputy Speaker (Poghisio): Mr. Munya, I am glad you have changed that! Dr. Mwiria, your time is going. Proceed, or you finished your contribution?

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I only spoke for one minute. I hope this will be taken into account.

The Temporary Deputy Speaker (Mr. Poghisio): Your time is going! You created this situation yourself.

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I did not create the situation; I did not tell hon. Members to continue commenting on the same issue.

(Laughter)

The point on how certain constituencies have completely been ignored, with regard to the allocation of key positions in the Government and parastatals, has been made. We hope that if this Motion is passed, this will not be the case any more. I would also like to say that when we talk about allocation of positions in the Government, they should be related to the Budget. Allocation of positions or projects in constituencies should not be based on whether or not hon. Members of Parliament go to lobby for those projects with Ministers.

I would also like to say that as we discuss this Motion, we should also consider other disadvantaged groups who include women, and in some cases, boys, religious groups and the physically challenged. This is also important with regard to the location of institutions. For example, former President Moi and the late Kenyatta established public universities in their provinces and named them after them. So, Moi and Egerton Universities were established in Rift Valley Province. We have Jomo Kenyatta University of Agriculture and Technology (JKUAT) in Central Province and the University of Nairobi in Nairobi Province and so on. This is a problem for constituencies which will not produce presidents in this country because there will be no public universities in those constituencies.

(Applause)

This should also be related to review of scholarships and training opportunities in the country which we sometimes forget. This is a grey area which is not very well defined and there is no fairness. We should watch out not only on allocation of parastatal positions, but more importantly, that those who are appointed as senior managers do not recruit staff from their ethnic groups only. The same applies to allocation of positions of authority in higher learning institutions. If you look at our public universities, you will find that majority of the Vice-Chancellors are either Kalenjins or Kikuyus. It also happens that those allocations of those positions are also based on the location of the university. So, if you go to Maseno University, you will find that the Vice-Chancellor is a Luhya. If you go to WEUCO, you will find that the Principal is a Luhya, and if you visit universities in Kalenjin land, you will find that the Vice-Chancellors come from the Kalenjin community. If you go to the JKUAT, you will find that the Vice-Chancellor is a Kikuyu. Those are national institutions and allocation of positions should be reflected in them.

(Applause)

The Temporary Deputy Speaker (Mr. Poghisio): Dr. Mwiria, your time is up! Do you support the Motion or not?

Dr. Ali: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to tell us all that, and yet he is in charge of higher education? Why can he not do something about it?

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, those people were employed under the Moi regime and they are on contract.

I support the Motion.

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! I think the Front Bench really needs to be cautious when contributing to the Motions. That is because they are talking to themselves! The rules and procedures, therefore, demand that they be cautious when speaking about matters here.

Mr. Rai, please, proceed!

Mr. Rai: Bw. Naibu Spika wa Muda, nataka kuchukua nafasi hii kwa sababu mimi ni Mduruma wa pekee katika Jumba hili! Hata pia kule kupata nafasi, huwa napeana nafasi kwa sauti ya kinengwe ili nipate kusikika.

(Applause)

Bw. Naibu Spika wa Muda, msimu huu ulianza kitambo na tumemaliza miaka 40 sasa. Ningetaka kumpongeza aliyeleta Hoja hii. Tunataka kuiboresha, kuiunga mkono na kuitilia mikazo ili tuone faida yake. Watu kama sisi tunaotoka katika sehemu kame, tunapokuja hapa na kupata jicho la Naibu Spika wa Muda kama sasa, tunajisikia tumepata nafasi ya kutoa pumzi. Tunajadili matatizo yanayotukabili kama vile ujiri, kama ilivyo katika Hoja hii. Tunayazungumzia kinaga ubaga ili ukweli udhihirike na tupate suluhisho la kudumu kwa matatizo yanayowakumba watu wetu. Lazima tuondoe vile vipengele ambavyo vimekuwa mzigo mkubwa kwa watu wetu katika sehemu zetu.

Bw. Naibu Spika wa Muda, nataka kuuliza swali moja ninapozungumzia Hoja hii. Kuna baadhi ya sheria fulani ambazo zimetufunga kwa muda mrefu, na zinatutadiza kwa sababu ni sheria za kikoloni. Tunapowaajiri wafanyikazi, kwa mfano katika jeshi, polisi, askari wa utawala au

National Youth Service (NYS), kitu kinachotafutwa ni kujua mtoto amesoma hadi kiwango kipi. Lakini, hili swala la kuambiwa lazima uwe mrefu kumshinda Capt. Nakitare hapa, hizo ni sheria za kikoloni! Ikiwa Wajapani na Wachina wangukuwa wanaishi humu nchini, hatungekuwa na mapolisi? Sasa, tuko na jamii ya mbilikimo katika Jamhuri hii! Wao pia ni watu wanaosoma na kufanya mtihani kama watoto wengine. Wanapowekewa viwango kwamba lazima wawe na urefu wa futi tano na inchi saba, mbilikimo hubaki hana kazi! Ni lazima tulegeze sheria zingine, ili tuangalie watoto wetu watafaidika namna gani.

(Applause)

Bw. Naibu Spika wa Muda, wakati ninapozungumzia swala kama hili, najaribu kurudi nyuma na kuangalia ule uhaba na matatizo yanayowakumba watoto wanaosoma katika shule zetu. Tuna uhaba wa walimu katika shule zetu. Jambo hilo linatokea kwa sababu watoto wanapochaguliwa kwenda katika vyuo vya waalimu, wanawekewa viwango fulani. Wanaambiwa lazima wawe na alama fulani. Shule katika Jamhuri ya Kenya haziko sawa. Wakati huu tunapozungumza, watoto wanaosomea shule ya upili ya Mangu sio sawa na wale wanaosomea shule ya upili ya Kenyatta. Shule zetu zina matatizo tofauti tofauti, hasa zile za msingi. Matokeo ya mitihani katika sehemu kame mara nyingi hurudi chini. Unapompata mtoto kutoka sehemu kame amefanya vizuri akapata B ama C, usimfananisha na yule ambaye anatoka Mkoa wa Kati na ana A-.

Wakati huu, Wizara ya Elimu, Sayansi na Teknolojia imeweka kiwango kwamba wale wanataka kujiunga na vyuo vya waalimu lazima wawe na C. Katika sehemu zetu, watoto wa kike wanabakia manyumbani. Ningeomba Serikali ijaribu kuingilia swala hilo, na kuona kwamba wakati inasajili wanafunzi kujiunga na vyuo, hasa katika sehemu kame, watoto wa kike walegezewe zile alama zinazotakikana kuwasajili. Ikiwa kiwango cha chini ni C, watoto wa kike wanaweza kusajiliwa na alama D+. Ikiwa hawakufanya vizuri, itadhihirika wakati wa kufanya mitihani katika vyuo hivyo. Miaka miwili uliyopita, watoto wengi walikuwa wanajiunga na vyuo vya walimu wakiwa na D+. Wakimaliza, wanakuwa walimu wa kiwango cha P1. Wamefanya mtihani na kufuzu vizuri. Kwa kufanya hivyo, tutajaribu kupunguza ule uhaba wa elimu katika sehemu zetu. Jambo hilo ni muhimu na tunaporudi kwa upande mwingine tena, ni lazima tufahamu kwamba ni vizuri kuwatia motisha watoto wa kike. Ni vibaya kumuelimisha mtoto na anapomaliza kidato cha nne, anabaki nyumbani kwa sababu ya ukosefu wa kazi. Kisha anapomaliza kidato cha nne, anabaki nyumbani. Inabidi tuanze mfumo mahsusi wa kuweza kuwasaidia watoto wetu na tujue kwamba tutaweza kuwasaidia kwa njia gani. Kama ni NYS, kama tulivyokusudia kwamba ni lazima wachukue kutoka kwa maeneo ya uwakilishaji, idadi ile ichukuliwe na ijulikane kwamba watoto waliochukuliwa ni hawa. Na singeona vibaya hata kama watoto wale wanapochukuliwa waandikwe kwenye gazeti, ili ijulikane dhairi kwamba watoto hao wamechukuliwa katika yale maeneo yetu ya uwakilishaji hapa Bungeni.

Bw. Naibu Spika wa Muda, tunatatizika kwamba ni kwa nini maofisa wanaochukua kwa upande wa jeshi na polisi ni lazima watoke Nairobi kuenda kuchukua watoto sehemu za Kwale, Kilifi, Lamu na Garissa. Ni kwa nini, lazima watoke Nairobi? Watuambie wanahitaji watoto aina fulani, alama fulani na kadri hii. Hiyo itatusaidia kwa sababu hata kule chini, wako na OCPD walioko kule ambao tutajaribu kushauriana nao. Umuhimu ni kujua kwamba wanahitaji watoto watano kutoka Kinango, na OCPD atachukua jukumu lile kwa sababu yeye yuko kule na ataweza kushauriana na sisi, ili tujue kwamba watoto wetu wamenufaika, kuliko kuwatoa maofisa kutoka headquarters Nairobi na wanawambia watu hao kwamba, kesho-kutwa tutakuwa Mombasa. Ukifika Mombasa, utampata mtu kutoka mkoa wa kati ambaye amekuja Mombasa kusimama katika laini. Ukienda Kwale, unakuta pia ni vile vile. Vijana wale wamekwenda mpaka Kwale vile vile.

Wanasimama na wale wengine.

Sasa, kwa kujaribu kuwaondoa wale wenyeji katika sehemu zile mtaambiwa nendeni mbio, fanyeni hivi, kojoeni au temeni mate. Kitu kinachotutuzia ni kwamba hakuna mtu ama ofisa wa polisi anayeweza kuandikwa akiwa na makengeza, lakini nimewahi kuwaona maofisa wa polisi wenye makengeza barabarani. Nataka kujua waliandikwa kwa njia gani.

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Chair satisfied that the hon. Member on the Floor is using parliamentary language by saying what he said, which I cannot repeat?

Mr. Rai: Bw, Naibu Spika wa Muda, yeye hawezi kufahamu vile nimezungumza---

The Temporaary Deputy Spekaer (Mr. Poghisio): Order! Mr. Rai, there is something called decorum in our language. Even if you put it in Swahili, it must be sensitive to the decorum of this House.

Mr. Rai: Bw. Naibu Spika wa Muda, haya, naomba msamaha ili nipate kuendelea, ili muda wangu usije ukaharibika. Ninachosema ni kama kukuambia kwamba kama idara ya polisi inasema kwamba haitaki kuchukua watu wenye magofu, watu ambao wana matege, watu wenye mishipa, halafu uje upate ofisa wa polisi ana mishipa, utafikiria kitu gani? Ndio maswala ambayo nilikuwa najaribu kuyaweka hapa dhahiri; kwamba, kama viwango vile vimewekwa na halafu unakuja kupata wengine wameajiriwa na wana ukosefu wa vitu vingi, ndipo unapojiuliza mara mbili: Watu hawa huajiriwa kwa njia gani?

Tunegetaka swala hili litiliwe maanani kama vile tumeanza huu msimu wa Constituency Development Fund. Mambo mengi yanaharibika na miaka 40 iliyopita, kufikia wakati huu, Wakenya washaanza kufahamu ni kitu gani kinachoundelea. Ni jukumu la Serikali kuangalia kwamba Hoja hii imeletwa kwa nia nzuri kujaribu kuisaidia na kutengeneza jina la Serikali. Kuna umuhimu wa kujaribu kujua kwa kufanya hivi, tunaupunguza umaskini kwa watu. Tunajaribu kuwasaidia na kuwatia motisha, hasa wale wazazi ambao wanafundisha watoto wao katika hali ngumu, kwa njia za taabu, wakati wanapona kwamba unafika wakati wanaambiwa kwamba tunahitaji watu kadri hii kwa sababu kumetokea kazi ama nafasi kwa njia fulani. Utajiuliza mara mbili.

Nakubaliana na mzungumzaji mmoja aliyesema hapa juu ya Parliamentary Service Commission. Jiulize katika orodha yote ya wafanyikazi katika Parliamentary Service Commission, kama kuna Mduruma pale ndani? Niko tayari kumtolea sadaka kama yuko ndani. Hakuna! Katika idara ya polisi, ni Chigamba peke yake ambaye in Mduruma. Katika askari wote wa polisi ni Chigamba peke yake mwenye rank ya Assistant Commissioner of Police. Wa pili alikuwa ni Kalume ambaye alikuwa anafanya kazi hapa Benki Kuu ya Kenya na sasa amestaafu. Tuna maofisa. Tuko na vijana wa kutosha. Kwa hivyo, wakati madaraka yanapotolewa, kama vile Commissioner mpya wa Polisi alivyozungumza, atajaribu kuangalia kwamba atafanya promotion kulingana na merit. Sio kwamba kwa sababu mimi niko kitini, basi rafiki zangu fulani ni lazima wapandishwe madaraka. Tabia zile ni lazima zikome. Kila sehemu humu nchini ina matatizo yake mbalimbali. Kwa sababu hiyo, wakati tutakapofanya uchunguzi kwa kina zaidi, tutajaribu kutatua baadhi ya matatizo yanayowakabili watu wetu.

Bw. Naibu Spika wa Muda itakuwa ni hasara kubwa wala hatutafaidika vyovyote--- Serikali imetupatia pesa katika kuendeleza miradi ya Hazina ya Maendeleo ya Pwani (CDF) lakini tayari sasa mradi mojawapo ninaozungumzia umepolekwa kortini. Inaonekana, Serikali haina nia nzuri kuhusu miradi ya CDF. Mpaka tutakapooana kuwa pesa zimetolewa, ndipo tutaamini kuwa Serikali ina nia nzuri. Lakini ikiwa tutaambiwa kuwa pesa hizo hazitolewa kwa sababu eti Mkenya mmoja amefikisha mashtaka kortini ya kusimamisha hazina hiyo, jambo hilo halitawezekana katika nchi hii.

Ikiwa Bajeti yetu ingekuwa ikigawanywa kulingana na mawakilisho, matatizo kama haya yasingekuwepo humu nchini. Kila mahali tunahitaji hospitali na maendeleo mengine mbali mbali. Tuna matatizo mengi chungu nzima. Lakini ikiwa fedha zitakuwa zinagawanywa kutoka hapa, basi hatutafaulu.

Bw. Naibu Spika wa Muda, naunga mkono Hoja hii.

The Temporary Deputy Speaker (Mr. Poghisio): Ninaona kama muda wetu unaelekea kuisha. Tuna takriban dakika saba.

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, I want to join my colleagues in supporting this Motion. I also want to thank the hon. Member for Runyenjes for bringing this Motion to this House.

Mr. Temporary Deputy Speaker, Sir, employment in this country is a critical issue that must be taken very, very seriously. This Motion has come at the right time when tribalism has become the rule, rather than the exception in this country. Recruitment is based on tribalism at the moment. When you compare what the former regime used to do and what the present one is doing, you realise that the NARC Government has perfected tribalism in every sense of that word.

I want to give a few examples. The Minister for Energy has appointed a Luo at KPLC as the Managing Director; the Minister for Agriculture has appointed all Nandis as parastatal heads within the Ministry; and the Minister for Livestock and Fisheries Development has appointed Kambas in his Ministry, especially at the Kenya Meat Commission (KMC). Pastoralists have not been considered in any way.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Kamama! You cannot make a statement which you cannot stand by.

Mr. Kamama: Mr. Temporary Deputy Speaker, Sir, with regard to KMC, I can prove to you that the only pastoralists who were considered were the Somalis. The Maasais, Samburus, Pokots and the Turkanas who own the animals were not considered. So, we are going to sabotage KMC.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Kamama! It is good that we can actually say things in this House. However, the trend we must set here is that when you want to say whatever you want to say, please, come prepared to substantiate. You should be able to make a statement and lay something on the Table to substantiate what you are saying as opposed to saying things wildly. If we continue that way, we risk making this House a place of disorder. So, I am cautioning that you keep off that kind of track you are following if you are not prepared to substantiate.

Mr. Kamama: Thank you, Mr. Temporary Deputy Speaker, Sir. What I wanted to say is that we must detribalise or de-ethnicise our employment policies. Let us not employ our kinsmen, but consider equity as the basis of employing our youth.

Employment in the Armed Forces, Kenya Police and the Administration Police has been done in a very skewed manner. Last year alone, and this is in precise terms, when the recruitment for the armed forces was done, I want to put it to you that 77 youths from the Kalenjin Community in Rift Valley Province were considered as opposed to over 1,400 youths from Mt. Kenya Region. Those are the facts, and I can table them when you want them.

So, Mr. Temporary Deputy Speaker, Sir, I want us to make sure that tribalism is erased in this country. It was practised by the two past regimes. I want to thank the current President because-- I am not sure whether he knows when these parastatal heads are being recruited or employed. I think the Ministers are just doing their own things. So, I want to thank the President for actually performing above board in ensuring that, at least, fairness is done. I also want to state once again that we want everything to go to the constituency level so that our people on the ground can realize

the impact of our development.

In concluding, because time is not on my side, I want to say that when we were discussing the chapter on devolution in Bomas, that chapter became the most famous in this country. Equally, that makes this Motion the most relevant in the recent times.

Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to support.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Khamasi, you have two minutes!

Mr. Khamasi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the last few minutes to air my views on this Motion.

I want to support this Motion as amended, and I would like to state a few things. We are all Kenyans; when God created this world, he made Kenya and he put every community wherever they are.

(Applause)

He did not say that certain communities have got to lord over others because of certain factors. So, the question of population densities and so on should never arise in a Motion like this. But I want to congratulate Mr. Wambora for bringing this Motion, because it is a Motion which, if implemented, we will see a lot of changes in this country.

Mr. Temporary Deputy Speaker, Sir, the problems we have today started way back during the Kenyatta regime, continued during the Moi regime, and they are being perfected by the Kibaki Government.

(Applause)

The Kibaki Government was actually voted in on the platform of fairness, and we cannot see fairness. Look at the current structures in the Civil Service; how do you rationalize one small clique of a district or one small district producing about four Permanent Secretaries, and yet we have got a whole world of Kenya with very well educated people who can fill those positions?

Hon. Members: Yes!

Mr. Khamasi: Mr. Temporary Deputy Speaker, Sir, I want to say this: We are still lobbying for places which Kenyans are entitled to, because we still have got---

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, please, protect me from my friends here [**Mr. Khamasi**] who are consulting very loudly.

We are still lobbying our Ministers to get our boys and girls employed. We have to go to the Office of the President when they are recruiting in the army or the police force. Why must we continue doing this when we said that the NARC Government is bringing an end to all these matters? We need fairness, and fairness must be done in all the places where our young people are being recruited. Corruption must end.

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

Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members. It is time for the Mover to reply. So, I call upon the Mover to reply.

Mr. Wambora: Thank you, Mr. Temporary Deputy Speaker, Sir. Some hon. Members have asked me to give them two minutes each.

Temporary Deputy Speaker (Mr. Poghisio): Mr. Wambora, you are simply donating your time!

Mr. Wambora: I want to donate two of my minutes to Mr. Bahari; two minutes to Mr. Muchiri, and two minutes to Mr. Kingi.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, I want to thank Mr. Wambora for having brought this Motion, which will remain a landmark in resources allocation in this country.

While we appreciate the fact that this Motion is going to address the potential future imbalances, it fails to address the past. Although it mentions that in the past, some Kenyan communities were left out or under-represented, we are doing nothing to address it. By enacting this Motion, we are trying to ensure that in future, the malpractice does not continue. That is better than where we have come from.

Mr. Temporary Deputy Speaker, Sir, those who are already there will continue being there for a long time to come, and there is nothing you can do about it. So, you will realise that the benefit of this Motion will be accrued in a few years' time to come.

I would like to join my colleagues in lamenting about the way recruitments have been conducted in the public sector. The private sector is left out. The public sector employs just a percentage of the entire population in this country. Since Independence, my district has never had a DC or a PC to date, and yet we are said to be in this country. If you go further, you will realise that even the current policies do not favour us at all.

Mr. Temporary Deputy Speaker, Sir, over the weekend, I attended a meeting in my constituency and I was told that in one of the divisions, only one student was admitted to a teachers training college. The rest could not qualify. That is a very dangerous situation. We shall not be having teachers in that division for the next two years unless we import them from outside, when we needed not to do that. Recruitment is a very sensitive exercise. It is a way of resource allocation and it is important that the Government makes a deliberate effort to ensure that there is fair and equitable distribution. We appreciate the fact that certain areas are more populated than others. Certainly, those areas have better potentials in terms of qualifications and the number of people who avail themselves for recruitment. That is quite okay. There are recruitments in the private sector and in other areas, in and out of this country, which they have an opportunity to present themselves to.

Mr. Temporary Deputy Speaker, Sir, a lot has been said about constituencies and the distribution based on the population. I thought the Constitution is very clear on how to decide whether a particular area can constitute a constituency or not. There are so many other parameters that have to be considered, other than population. While in some constituencies you can use a loudspeaker to communicate to more than half of the constituents, in others, you have to travel for days to reach the constituents. These are Kenyans and we must consider them.

Now that time is not on my side, I strongly support this Motion. I would like to thank the Mover.

Mr. Muchiri: Mr. Temporary Deputy Speaker, Sir, I want to thank Mr. Wambora for giving me these two minutes.

I want to say very briefly that I support this Motion. The fact that there has been unfair recruitment into the armed forces, the police force and in all sectors included in the Motion, this prompted us in Nyandarua to set up a recruitment surveillance team. We would wish that every time there is a recruitment exercise, each district is informed about how many recruit would be taken from there. In Nyandarua, we are very disadvantaged and we felt that we needed a recruitment surveillance team comprising of elected leaders; councillors and hon. Members.

I would wish that the armed forces are utilised in development efforts in this country. It will

be fair that we utilise them to construct roads, dams and afforestation, so that they are not idle when Kenya is not under any aggression. Chits of paper should not be given to anybody, by anybody from "above" so that he or she can secure recruitment.

Mr. Temporary Deputy Speaker, Sir, the process of recruitment has always been flawed. It has been coated by those who are politically and economically correct. This is what we want to correct, and I think Mr. Wambora's Motion is very timely.

Mr. Temporary Deputy Speaker, Sir, last time there was a recruitment into the armed forces in Nyahururu, some people only managed to walk half the distance, but those who went the whole hog were not recruited. It is important that there is fairness in the recruitment.

I beg to support.

Mr. Kingi: Asante sana, Bw. Naibu Spika wa Muda. Ningependa kuchukua nafasi hii kumshukuru Bw. Wambora kwa kunikubalia nichangie Hoja hii kwa dakika mbili.

Hoja iliyoko mbele yetu ni muhimu, na nina hakika itapita. Ikipita na itekelezwe, itaondoa maonevu mengi sana ambayo yemekuwa yakitendeka na bado yanatendeka katika taifa letu. Ningependa kukuarifu ya kwamba, maonevu haya yameanzia hata hapa tunakofanya kazi. Ukiangalia wale ambao wanafanya kazi katika Jumba hili, utakuta ya kwamba kuna sehemu zingine ambazo hazijawakilishwa hata na mfanyikazi mmoja. Mfano ni sehemu ninakotoka. Hakuna mtu hata mmoja ambaye amaeajiriwa katika Jumba hili ambaye anatoka sehemu ya uwakilishi ya Ganze katika Wilaya ya Kilifi. Kwa hivyo, tunataka Hoja hii ipite ili iweze kuondoa maonevu kama hayo.

Bw. Naibu Spika wa Muda, kwa zaidi ya miaka 15, hakuna hata kijana mmoja aliyechukuliwa katika Kenya medical training colleges kutoka sehemu ninayowakilisha hapa ResponderBungeni. Tumewahi kuzungumza juu ya mambo kama hayo hapa, na hadi wakati huu, uonevu huo bado unaendelea, na ndio tunataka Hoja hii ipitishwe ndipo maonevu kama hayo yaweze kuondoka.

Bw. Naibu Spika wa Muda, wengine wetu pahali tunakotoka, yule mtu wa hadhi kabisa ni Mbunge peke yake. Hakuna, kwa mfano, mkuu wa wilaya, mkurugenzi, Katibu wa Kudumu na wengine wengi ambao wameweza kuajiriwa katika Serikali au idara zozote za umma.

Kwa hivyo, ninaunga mkono Hoja hii ili iweze kuondoa matatizo haya.

Mr. Wambora: Mr. Deputy Speaker, Sir, I would like to take this opportunity to thank all the hon. Members of Parliament who have contributed to this Motion, especially the Seconder, Mr. M. Kariuki, the Government's Official Responder, and all the others from both sides of the House. Just to mention a few, they are Messrs. Rotino, Sungu, Serut, Wario, Salat, J. Nyagah, Mwiria, Kamama, Bahari, Muchiri and Kingi.

Mr. Deputy Speaker, Sir, in this Motion which we are going to pass in a few minutes, the major feature is going to be merit, equitability or fairness and there will be use of the quota system in recruitment at constituency level. It is going to be the most appropriate way for mass recruitment. This does not stop the Government from recruiting equitably at district and provincial levels for the top cadres into the Civil Service.

With those few remarks, I beg to move.

(Question of the Motion as amended put and agreed to)

Resolved accordingly:

THAT, taking into consideration that all constituencies have many school leavers and unemployed youth; aware that in the past some Kenyan communities were left

out, or under-represented in recruitment of their youth into the public sector; this House urges the Government to put a mechanism to ensure that recruitment into the Civil Service, armed forces, police force, Prisons Department, National Youth Service and other public institutions is not only based on qualifications, merit, competence *et cetera*, but also on equitable constituency distribution.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is now time for the interruption of business. The House, is therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.