

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 18<sup>th</sup> March, 2015

The House met at 2.30 p.m.

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

### PRAYERS

### PAPERS LAID

**Hon. Musimba:** On a point of order, hon. Speaker.

**Hon. Speaker:** Let me just understand, I see an indication that hon. Musimba has an intervention. What is it in respect of?

**Hon. Musimba:** On a point of order, hon. Speaker. I want to rise on a point of order under Standing Order No.108(1) as I want to name a Member.

**Hon. Speaker:** We are not yet there. If you look at your Order Paper, it is good---

**Hon. Musimba:** I have already put it there.

**Hon. Speaker:** We are at the stage of Papers.

**Hon. Musimba:** Okay. I will wait.

**Hon. A.B. Duale:** Hon. Speaker, I hope that the hon. Member is not naming me.

*(Laughter)*

At the rate things are moving, I might be the casualty.

Hon. Speaker, I beg to lay the following Papers on the Table of the House today, Wednesday, 18<sup>th</sup> March 2015:-

The Annual Report and Financial Statements of Chepkoilel University College for the year ended 30<sup>th</sup> June, 2012, and the Certificate of the Auditor-General therein.

The Annual Report and Financial Statements of the University of Eldoret for the year ended 30<sup>th</sup> June, 2013, and the Certificate of the Auditor-General therein.

The Annual Report and Financial Statements of the Kenya School of Law for the year ended 30<sup>th</sup> June, 2013, and the Certificate of the Auditor-General therein.

The Annual Report and Financial Statements of the Ethics and Anti-Corruption Commission (EACC) for the year ended 30<sup>th</sup> June, 2014, and the Certificate of the Auditor-General therein.

The Annual Report and Financial Statements of the Kenya Accreditation Service for the year ended 30<sup>th</sup> June, 2014, and the Certificate of the Auditor-General therein.

The Annual Report and Financial Statements of the National Gender and Equality Commission (NGEC) for the year ended 30<sup>th</sup> June, 2014, and the Certificate of the Auditor-General therein.

The Report of the Auditor-General on the Financial Statements of the Transition Authority (TA) for the year ended 30<sup>th</sup> June, 2014, and the Certificate of the Auditor-General therein.

Thank you.

*(Loud consultations)*

**Hon. Speaker:** Hon. Members even as we may be getting a bit excited with the prospect of hon. Member for Kibwezi West, of course he is perfectly within his right and he does not have to have consulted the hon. Speaker. If you look at that Standing No.108, it says: “Any Member may at any time---” but let us not begin to be excited until we hear what it is.

Hon. Ng’ongo is already scared that he may be named.

*(Laughter)*

Let us hear from the Chairperson of the Departmental Committee on Transport, Public Works and Housing, hon. Kamanda. Even as you do so, hon. Kamanda and your Committee, I must congratulate you for what you are about to do. The House should listen so that other Committees can follow suit.

Proceed hon. Kamanda. Are you the one on?

**Hon. Kamanda:** Hon. Speaker. I beg to lay the following Papers on the Table of the House today, Wednesday, 18<sup>th</sup> March 2015:-

The Reports of the Departmental Committee on Transport, Public Works and Housing on:-

The Petition regarding upgrading of Old Mombasa Road/Maasai Road A, B and C.

The Petition regarding the status of Komarock Road and the attendant threats to motorists by armed gangs.

The Petition regarding the erection of bumps and road signs on Mate Road in Kathuana Town.

The Petition regarding tarmacking of Gatiiguru-McVast-Matangini-Ithanga-Kirathani- Miyuu ya Ng’ang’a-Mukuyu Road

The Petition regarding 40-kilometre road traversing Mbiri, Mugoiri and Murarandia wards.

The Petition regarding construction of a footbridge on Waiyaki Way to link ABC Place Bus Stage to the offices of the National Council for Persons with Disabilities (NCPWD), Westlands, Nairobi.

The Petition regarding stoppage of Kenya Airways operations on Nairobi/Eldoret route and the inconveniences caused by Jambojet.

The Petition regarding the Northern-Corridor Transport Improvement Project, particularly in Lesseru/Kitale/Marich Pass (A1).

**Hon. Speaker:** That is commendable. Those are eight reports. Those are eight Petitions that have been dispensed with by that Committee. That is a commendable effort.

(Applause)

Next Order.

### NOTICES OF MOTIONS

**Hon. Njuki:** Thank you, hon. Speaker for the opportunity to give notice of Motion before the hon. Member for Kibwezi West talks. Those who have never been named in this House, it is not---

**Hon. Speaker:** Are you giving a notice of Motion?

**Hon. Njuki:** Yes, hon. Speaker. I mean to do that.

**Hon. Speaker:** It is never done that way.

**Hon. Njuki:** Hon. Speaker, I was just ventilating a bit and see whether you would smile before I moved the Motion.

**Hon. Speaker:** No, you cannot breach the Standing Orders in my presence. Please, do what you are supposed to do, or forever remain silent.

### IMPLEMENTATION OF FLEXIBLE WORK POLICIES

**Hon. Njuki:** Hon. Speaker, I beg to give notice of the following Motion:-

THAT, aware that Section 27(1) of the Employment Act provides that an employer shall regulate the working hours of each employee in accordance with the provisions of this Act and any other written law; further aware that motorists and passengers waste a lot of time in traffic jams during rush hours; noting the importance of quality output from employees as well as the ability to juggle between work and family responsibility, this House urges the Government to implement flexible work policies that will allow employees to schedule work during favourable times in order to accomplish more and provide time for recreational activities such as sports.

**Hon. Speaker:** Very well. That is so that people can be working even at midnight. Others may wish to work between 3.00 p.m and 4.00 p.m, so that they can go and engage in--- That is the general thrust of what the hon. Member is suggesting. It is so that people can engage in recreational activities of various descriptions.

### ENGAGEMENT NYS IN CONSTRUCTION OF DAMS IN LOWER EASTERN

**Hon. Mutambu:** Thank you, hon. Speaker. I will not ventilate.

Hon. Speaker, I beg to give notice of the following Motion:-

THAT, aware that Article 43(1)(c) of the Constitution provides that every person has a right to be free from hunger and to have adequate food of acceptable quality; further aware that Kenya's food production is heavily dependent on rain-fed agriculture; cognisant of the fact that counties like Kitui, Makueni and Machakos in semi-arid and arid Lower Eastern are part of the country and experience perennial food shortage due

to inadequate rainfall; noting that these counties, however, receive seasonal rainfall, whose water can be harnessed and stored for irrigation; appreciating that the Government has invested heavily in National Youth Service in terms of machinery and technical training, this House urges the Government to consider engaging the labour force and machinery of the National Youth Service to construct earth-dams for harnessing water for irrigation with a view to enhancing food production and alleviating hunger among the residents of the said counties and other semi-arid regions of this country.

## POINT OF ORDER

### CENSURE MOTION

**Hon. Speaker:** Very well. Now that there are no statements, I can allow, at this point, the Member for Kibwezi West to prosecute his matter under Standing Order No.108.

Hon. Musimba.

**Hon. Musimba:** Thank you, hon. Speaker for this opportunity. I want to name a Member under Standing Order 108(1) and that Member is ---

**Hon. Speaker:** Just a minute. What Standing Order are you citing?

**Hon. Musimba:** Standing Order No. 108(1).

**Hon. Speaker:** That is correct.

**Hon. Musimba:** That Member is hon. Justin Bedan Muturi. So, I think, procedurally, you should vacate your seat so that I can prosecute this.

*(Laughter)*

**Hon. Speaker:** The hon. Member for Kibwezi West, you are totally out of order.

*(Laughter)*

**Hon. Musimba:** I am not out of order, hon. Speaker. You are a Member of this House.

**Hon. Speaker:** Hon. Member for Kibwezi West, let me educate you slightly on how you can go about what you want to do.

**Hon. Musimba:** No, with all due reverence.

**Hon. Speaker:** Please, study your Constitution, more specifically Article 106. Thereafter, you can purport to do what you are pretending to do now. You are out of order.

**Hon. A. B. Duale:** Hon. Speaker, it is very unfortunate---

*(Hon. Musimba spoke off record)*

**Hon. Speaker:** Hon. Musimba, take your seat.

**Hon. A. B. Duale:** Hon. Speaker, I want to ask the House and Kenyans to forgive us this afternoon, because we are not conversant with our own procedures and Standing Orders. Hon. Musimba is my very good friend. We were friends even before he joined Parliament. The person he wants to name is not a Member of this House.

*(Loud consultations)*

Hon. Members, please allow me to talk. We are not in a market. He is not just a Member of this House. The Constitution has provided the procedures through which you can bring a Motion of no confidence in the leadership of the Speaker after you follow the roadmap and the requirements provided in the Constitution. To help our Member further, I can tell this House without any fear of contradiction that the Speaker will approve that Motion, if you follow the right procedure. In fact, he will not be on the Chair on the day we will be debating the Motion.

So, use Standing Order No. 108 to name hon. A. B. Duale, or hon. Mbadi for the second time, if you have any evidence of any impropriety. You could also use that standing order to name hon. Chepkong'a. You can name any of the 349 Members under Standing Order No.108, but not the person of the Speaker. So, please let us read our Standing Orders and follow the Constitution. Let us not turn the House into something that will breach our own rules. He is one of the most highly accomplished professionals in his sector, which is Information and Communication Technology (ICT). However, I am sure that we can do better.

Hon. Speaker, let us go to the next agenda so that--- Please, hon. Musimba, you must now talk to Members because the threshold or the number of signatures that you are supposed to collect from these Members is so high that you need to consult me and the Leader of the Minority Party before you make any move.

*(Loud consultations)*

**Hon. Speaker:** Order everybody, including the Member for Kibwezi West! I cannot be on my feet and you are still shouting. Hon. Members, there must be order. For the avoidance of doubt, and in order to educate the Member for Kibwezi West further, Article 106(1)(a) of the Constitution reads as follows:-

“There shall be-

(a) a Speaker for each House of Parliament who shall be elected by that House in accordance with the Standing Orders, from among persons who are qualified to be elected as Members of Parliament, but are not such Members.”

The hon. Member for Kibwezi West, if you insist--- That is clear; it is the Constitution. The vacation of the Office of the Speaker of any House of Parliament, or even the Deputy Speaker, is provided for in Article 106(2) in the following manner:

“The office of the Speaker or Deputy Speaker shall become vacant-

- (a) when a new House of Parliament first meets after an election;
- (b) if the office holder, as a Member of the relevant House, vacates office under Article 103;

(c) if the relevant House so resolves by a resolution supported by the votes of at least two-thirds of its Members; or,

(d) if the office holder resigns from office in a letter addressed to the relevant House”.

Those are the conditions. Therefore, hon. Musimba, any other method not contemplated either in the Constitution or in the Standing Orders is grossly out of order.

*(Loud consultations)*

What is your point of order, hon. Chepkong’a?

**Hon. Chepkong’a:** On a point of order, hon. Speaker. Many Members are appealing to me that we save time, so that we can move on. However, these are serious matters that are in breach of our own Standing Orders. You read a Communication in which the leadership of this House, including the leadership which incorporates my good friend, hon. Musimba, must always comply with the Standing Orders and the Constitution. If you purport, as a lawmaker, to behave in an unlawful manner, then you are grossly disorderly. There is no reason why he should not leave his seat right now and go and take tea outside there, as we transact business in accordance with the law. I rise pursuant to Standing Order No.107.

*(Loud consultations)*

We cannot shout at one another when I am reading the law unless you want to be unlawful yourself. Standing Order No.107 states as follows:-

“(1) Conduct is grossly disorderly if the Member concerned-

**(a) creates actual disorder;”.**

The procedure for the removal of the Speaker is clearly stated in Article 106. The Constitution is very clear. Every State officer is bound to act lawfully and not unconstitutionally. In fact, we may discuss this matter in our own Committee and refer him to the Ethics and Anti-Corruption Commission to deal with the ethical question that can be raised against this Member.

Secondly, Standing Order No.107 (e) states that:-

“Conduct is grossly disorderly if the Member concerned-

**(e) otherwise abuses his or her privileges”.**

You are given a privilege here to speak lawfully. If you speak in an unlawful manner, you have abused your privilege in this House. Touts are very respectable people, but they have their place in society. But you cannot behave like a tout in this House. You must behave like an hon. Member. Touts are my voters.

*(Loud consultations)*

**Hon. Members:** Withdraw! Withdraw!

**Hon. Outa:** Withdraw!

**Hon. Chepkong'a:** I am on a point of order. So, stop shouting. Can you sit down, hon. Outa? Conduct is grossly disorderly if the Member concerned commits any serious breach of these Standing Orders.

*(Loud consultations)*

**Hon. Speaker:** Order Members!

**Hon. Outa:** Hon. Speaker, he must withdraw!

**Hon. Chepkong'a:** Hon. Speaker, can I substantiate? There is nothing to withdraw. I have stated very clearly that touts are very respectable people. They are my voters. I have not abused anybody.

*(Loud consultations)*

**Hon. Members:** Withdraw! Withdraw!

**Hon. Chepkong'a:** Hon. Speaker, how can I abuse a very respectable profession? I am a user of *matatus* and touts call me to board vehicles. How can I abuse people who allow me to enter their vehicles? They cannot be abused. There is nobody who can be abused here. I am here to protect the rights of the people. As a lawyer, I am here to protect the rights of the people, including touts who represent me in *matatu* and bus stages. Let us not make serious matters very light and shout at one another. I never shout at anybody and I expect nobody to shout at me.

I have a lot of respect for hon. Outa, but it is very unfair for a man with such distinction to behave unlawfully. I am a mono. In fact, you should see me later on and tell me that I am wrong here, but you do not shout at me.

When you raise matters that are outside the law, you are grossly disorderly. You are not acting as an hon. Member. I do not want to name him because he has abused his privilege for the first time. However, if he does it next time, I will name him. I am giving him a last warning.

**Hon. Speaker:** Hon. Musimba, I have not called you to speak. You can see the House sympathizes with you. Look also at the Standing Order No.87(1), which states that:-

“Neither the personal conduct of the President, nor the conduct of the Speaker or of any judge---”

You can proceed. If you needed to do this, hon. Musimba, just give a three days' notice. That is all that you are required to do under the Standing Order No.87. If you are so intent on doing what you want to do, you will be at liberty to do that. In fact, if you bring it today, I will approve it immediately. You must act within the law. We are not going to entertain that. We are advising you on the route to go.

Hon. Musimba, you cannot be allowed to operate outside the law and your Standing Orders. You are at liberty to say whatever it is you want to say. Please, go, draft it and bring it to my office. I will approve it as soon as I leave the Chair, so that you can come and ventilate on what you want to say. You cannot do it casually. These Standing Orders and the Constitution give you the route to follow. Please, just follow it.

Next Order!

## MOTIONS

EXTENSION OF PERIOD FOR CONSIDERATION  
OF NOMINEES TO THE JSC

**Hon. Chepkong'a:** Hon. Speaker, I beg to move the following Motion:-

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, this House resolves to extend the period for consideration of the nominees for appointment as Commissioners to the Judicial Service Commission by further ten (10) days, from 20th March, 2015.

This arises as a result of the Communication that you made to this House last Thursday, 12<sup>th</sup> March, 2015, in which you committed two nominees for vetting by the Justice and Legal Affairs Committee. Under Section 15 of the Judicial Service Act, 2011, the National Assembly is required to consider the nominees and either approve or reject them within seven days. As you stated clearly and since you have better wisdom than some of us, you indicated to us that in the event that the time that has been given to us is short, we could come back to the House to seek extension of time.

Hon. Speaker, Section 13 the Public Appointments (Parliamentary Approval) Act, which we passed last year under the Statute Law (Miscellaneous Amendments) Act, states that despite the provisions of the Act or any other law – including the Judicial Service Commission Act of 2011 – where time is prescribed for doing an act or taking of proceedings by the National Assembly relating to a public appointment, the National Assembly may by resolution extend that time by a period not exceeding 14 days.

The need for seeking an extension of time has arisen as a result of conflict between Standing Order (SO) 45 (3), which states that before holding an approval hearing, a Committee to which proposed appointments have been referred shall notify the candidate and the public of the time and place for holding of the approval hearing at least seven days prior to the hearing. In order for us to be in line with the Standing Order and comply with it, we are seeking an extension of 10 days because the Judicial Service Act requires that we approve within seven days.

Our own Standing Orders require that we must give the candidate and the persons who wish to participate by giving memoranda, whether in approval or objection, seven clear days prior to the hearing. If we were to do that, we would certainly be outside the law. Fortunately, Section 13 of the Public Appointments (Parliamentary Approval) Act gives us a window on which we can seek an extension in order for this House to grant the approval. So, the Committee is seeking that the period within which to undertake the vetting be extended by further 10 days to allow us time and to comply with the Standing Orders.

Hon. Speaker, with those remarks, I beg to move and ask hon. Florence Kajuju, the Member of Parliament for Meru County, to second.

**Hon. (Ms.) Kajuju:** Thank you, hon. Speaker. I stand to second the Motion as moved by the Committee Chair.

Hon. Speaker, this is just a Procedural Motion. The importance of the Judicial Service Commission (JSC) cannot be downplayed. It is important that we look at the nominees that have been sent to the Committee. The JSC is the body that nominates, vets and disciplines judges and magistrates. The JSC is a very important arm of the Government and, therefore, we have to follow the procedure that has been established. Most importantly, the composition of the JSC must meet the values set out in Article 10 of the Constitution. Therefore, in order for the Committee to be able to come up with a proper report, it is important that we have sufficient time. Extending the time does not cause prejudice to any of the persons. Therefore, we are going to confirm that once approved by the Committee, the nominees will meet the requirements expected of them as per the law.

Therefore, I beg to second and pray that the extension be granted.

*(Question proposed)*

*(Question put and agreed to)*

APPROVAL OF APPOINTMENT OF MAJ-GEN  
L.K. TUMBO AS AMBASSADOR TO SOMALIA

**Hon. Gethenji:** Hon. Speaker, I beg to move the following Motion;-

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the vetting of the nominee for appointment as ambassador, laid on the Table of the House on Tuesday, 17<sup>th</sup> March, 2015, and pursuant to Article 132(2) (e) of the Constitution approves the appointment of Major-General (Rtd) Lucas K. Tumbo as ambassador to the Federal Republic of Somalia.

Hon. Speaker, the Committee conducted the vetting of the nominee and listened to his representations. The following are the findings and reservations of the Committee.

On leadership and integrity, we established that the nominee had risen through the ranks of the military hierarchy to the rank of Major-General. He holds various commendations from both local and international institutions. The Committee also received letters from Kenya Revenue Authority (KRA), the Higher Education Loans Board (HELB), the Ethics and Anti-Corruption Commission (EACC), credit bureaus and various certificates, including a Certificate of good Conduct. We received feedback on his tax compliance status and noted that he was not under investigation for any transgressions. He also had no outstanding loans. The Committee was, therefore, satisfied that the nominee met the parameters set out in Chapter Six of the Constitution, on leadership and integrity.

Hon. Speaker, as seen from the Report, the nominee is a retired military officer with outstanding military background. The President's choice of a nominee with military background is commendable. The President's choice of the nominee is in line with the recommendation of our Committee, which was that the ambassador to Somalia should be somebody with military background given that Somalia is a nation that is plagued by civil unrest and has been in a state of war. Our recommendation is informed by the fact that it

is difficult for a civilian to manage in that type of environment. The military background will, of course, enable the potential ambassador to be seized of matters of the state and the state of affairs in Somalia with relative ease and allow him to guide the implementation of Kenya's foreign policy and policy objectives in line with the constraints of a conflict situation.

The personnel within the military portray the face of Kenya and the military offers a choice of individuals from diverse social, economic and ethnic backgrounds, but with most similar qualifications. As everybody knows, military personnel are extensively trained. The training that the military receive is wide ranging and thorough. Of course, the training is financed through taxpayers' hard-earned money and it is fitting that---

**Hon. Speaker:** Hon. Gethenji, just give me a minute to recognise the presence, in the Speaker's Gallery, of Tumu Tumu Girls High School from Mathira Constituency, Nyeri County. We also have in the Public Gallery, students of Mark High School from Yatta Constituency, Machakos County, as well as pupils of Karen C Primary School from Lang'ata Constituency in Nairobi County.

You are all welcome.

**Hon. Gethenji:** Thank you, hon. Speaker. A warm welcome to Tumu Tumu Girls High School from Nyeri County!

Hon. Speaker, it is only befitting that the wealth of experience and knowledge that our military personnel gain through training and experience is tapped well beyond their professional military service and brought to bear in the diplomatic affairs of this nation as diplomacy is literally the flipside of the military. Members of the disciplined forces display willingness to serve.

Military personnel put their lives at risk for Kenya whenever they are in service. The same dedication is carried to work in the public service as we have observed. It is important to note that the nominee expresses willingness to relocate to Somalia subject to the approval of his appointment.

On the nominee's academic qualifications, his background in diplomacy and international studies enhanced by his appropriate knowledge of Kenyan foreign policy and diplomacy are basic requirements for any of Kenya's diplomatic representatives. Additionally, his academic qualifications in the areas of security and human resource development will be instrumental in navigating in the situation in Somalia during his service.

With regard to the nominee's employment record and work experience, we found that the nominee had an impressive military career and has gained experience in the area of dispute resolution, which is an important ingredient of this posting. While serving in countries experiencing conflict or in transition such as Eritrea, South Sudan and Namibia he came out as a well-rounded person. Beyond his military background, he has exhibited knowledge in diplomatic and economic issues. He also showed keenness in innovation by participating in establishing and running of a mill in Uasin Gishu County and a kitchen project that would facilitate the feeding of approximately three hundred people. This endeavor aimed at bolstering Kenya's efforts towards achieving food security.

The nominee also hopes to place Kenya at the forefront of regional and international efforts to reconstruct Somalia. He is clearly alive to the fact that a prosperous Somalia will benefit Kenya in terms of resolution of the refugee concern and

rampant cross-border insecurity. He also pointed out that other countries such as Qatar, Turkey and Ethiopia were already operating embassies in Somalia and reinforcing their place in the Somali society. As a leader in the regional front, Kenya should not be left behind; this is also the observation of this Committee.

Further, the knowledge he gathered from his expansive military service came out during the vetting. For example, he noted the need for stronger ties between the Government of Somalia and Kenya to facilitate the fight against terrorism and *Al Shabaab*. He also talked about the impact insecurity has had on the Kenyan economy. The lack of regulations governing trade along the Kenya-Somali border has led to an influx of contraband goods, and the resultant loss of revenue in Kenya. This is because tax is not collected by either Kenya or Somalia. The porous nature of the Kenya-Somali border contributes to proliferation of small arms and light weapons, which fuel violence and undermine security measures within the country. The nominee was of the opinion that fostering good relations with the leadership of the Federal Republic of Somalia will aid in satisfactorily remedying this situation.

The Committee, therefore, found that retired Major-Gen. Lukas K. Tumbo was suitable for the appointment as the Kenyan ambassador to the Federal Republic of Somalia. The Committee unanimously endorsed his appointment as is evidenced by our Report.

Kenya has been in the forefront of engaging Somalia even at a time when Somalia had no formal Government. Kenya has been in the front line of accommodating refugees from Somalia, and supporting efforts to rebuild not only the economy, but also the Government and the governing structures and institutions. This started way back in 2002 when we had the Somalia Reconciliation Conference in Kenya, and this continued over the next few years. In 2003 we had the National Somali Reconciliation Conference; in 2004 we had the Nairobi Conference and so on and so forth. This culminated in the formation of a transitional Federal Government of Somalia, which was originally domiciled in Kenya. We have progressed hand in hand with our brothers across the border to the position, where today they are internationally recognized as government of Somalia.

We now wish to assist in establishing peace and security in Somalia to allow for greater economic prosperity for the people of the Republic of Somalia and the greater economic prosperity of the people of the East African region. It is the same prosperity that is enjoyed by our East African Community partners of Uganda, Tanzania and Burundi. We want Somalia to be part of that equation, because peace and security in Somalia means economic development not only for the people of Somalia, but for the whole East Africa region.

There are thousands of Kenyans currently living in Mogadishu. These are mainly teachers, hospitality staff and entrepreneurs. They will definitely benefit greatly from Kenya's physical presence in terms of diplomatic representation. It has been a shame that all these years when we have been engaging Somalia we have not actually had a physical embassy on the ground. We have an embassy, yes, but it has been sitting in NSSF House, here in Nairobi because of lack of security on the ground in Mogadishu. Many countries have established embassies in Mogadishu, Somalia. These countries include China, Djibouti, Ethiopia, Iran, Libya, Qatar, Sudan, Turkey, Uganda, the UK and even Yemen.

I struggled to recall any of these countries having played the role that Kenya has played in the liberation of Mogadishu and Kismayu by combating the *Al Shabaab* threat.

Remember Kenya has been paying the ultimate price by our soldiers being killed in combat. To date, we are not present on the ground to convert that into an economic and diplomatic dividend. It is important that we now proceed with haste to position an ambassador in the Republic of Somalia, and have him convert all the gains we have made on the military front to a diplomatic and economic gain.

We are pleased to note that the nominee candidate showed willingness, upon his confirmation and appointment, that he will move with speed. He promised to go right away to the Republic of Somalia on a fact finding mission and establish the mission there which the Ministry of Foreign Affairs has already provided for. We have also provided for that in the Budget Policy Statement. We are happy to note that the nominee candidate has no reservations or fear about establishing himself as our representative resident in Somalia.

In fact, the areas which seem to be falling through the cracks in terms of diplomatic engagements and political or economic misunderstanding can easily be brought back in line once we have a day-to-day full time diplomatic engagement and diplomatic mission in Somalia. There are many areas from which we can benefit including tourism and education. As I said, there are several teachers already teaching in Mogadishu, Somalia. This can also be enhanced once we have a formal mechanism of engagement with the Government of the Republic of Somalia to attract in a more formal, organised and disciplined manner more teachers who can continue to broaden the academic landscape in the Republic of Somalia.

Over and above that, the economic landscape is not represented in the manufacturing sector inside Somalia. This represents a massive opportunity for our industries in this country to supply such things as paint, mineral water and cement. Once the people of the Republic of Somalia, together with their friends and partners around the world establish a peaceful environment in which they can carry out their economic activities, there will be opportunity for complete reconstruction of institutions and infrastructure within Somalia. This represents a massive opportunity for industries and for our engineers, professionals and labour to be able to cross into Somalia and help, support and work in the peace building and reconstruction of the infrastructure of the Republic of Somalia.

This can only be co-ordinated by somebody who is on the ground, and who is alive to and aware of the opportunities that exist. It must be someone who can mine the opportunities on a regular basis. He would need to engage with the Government of Somalia to open the economic space for Kenyan entities, businesses and enterprises to come in and support the work that is being done by their brothers across the border, and rebuild and re-engineer the infrastructure of the Republic of Somalia.

On the side of security---

*(Hon. Mirenga spoke off the record)*

I will tell you when it is enough.

On the side of security, we have been consistently challenged by the threat of Al-Shabaab. This threat has been manifest in Kenya over the last two years. The programmes and ideas that the nominated candidate suggested to us during the vetting process in terms of how he can work with the intelligence community, in which he has a very strong background, and how he can work with the Government of the Republic of Somalia in sharing intelligence between Kenya and Somalia and increasing surveillance and monitoring of the elements that would wish to come to Kenya to harm us and the people of Somalia, are practical. Incidentally, the people of Somalia have been the biggest victims of Al-Shabaab and terrorist activities.

So, we wish the nominated candidate to join hands with the Federal Republic of Somalia and represent this country adequately. He should be able to bring to bear the full benefits of security, economy and diplomacy that a full engagement with the people of Somalia would be able to yield.

Hon. Speaker, I beg to move.

**Hon. Speaker:** Do you have a seconder?

**Hon. Gethenji:** Hon. Speaker, I call on the hon. Bare Shill, the Vice-Chairman of the Departmental Committee on Defence and Foreign Relations, to second.

**Hon. Speaker:** Hon. Bare Shill.

**Hon. Shill:** Thank you, hon. Speaker. I would like to second the Motion. Somalia is a neighbour to this country. It has been in problems for years. People say that you can choose your friends but you cannot choose your neighbours. For the last 20 years or so, our neighbours were unfortunately in turmoil. It is through the help of the African Union (AU) and other well wishers that we have put the African Mission in Somalia (AMISOM), which is now giving some strength to that Government.

Having been to Mogadishu for so many times, he is the right person we have been chosen because of his military background. On the first day that you visit that area, if you are not a military guy, you can go under the table immediately because of the several bombs and bullets. Therefore, we really need somebody with a military background.

We have sent our troops to Somalia under the banner of AMISOM. It is not only through military intervention that we can have a relationship with Somalia. What we have been lacking is the political and diplomatic side of the engagement. If you go to Mogadishu, you will see so many countries have their ambassadors there, except Kenya yet it is in Kenya where we house over one million Somalis who have run away from the war-torn country. Kenya is the place which is very attractive to Somalis. Many of them have come here not only as refugees but to do business. They are very good entrepreneurs. Kenyans are also entrepreneurs. Therefore, Kenya can benefit if we co-operate.

If Somalia becomes peaceful and their reconstruction starts, it is this country which will give all the raw materials and the technicians who will be needed, including builders, architects among others. Maybe our Gross Domestic Product (GDP) can go up by over 40 per cent just because of Somalia. Therefore, let us not just look at Somalia through the lens of Al-Shabaab or of a war-torn country. We must look at them as people we can do business with. Therefore, we need that diplomatic kind of relationship.

We know many of the Somali youth have been put on the wrong footing. They have joined the Al-Shabaab just because they do not have jobs. The only job that is

available in Somalia at this time is if you know how to shoot. However, we can change that. There are areas in Mogadishu where people sell arms. You will find that even some mothers sell bullets instead of tomatoes just because they are helpless. It is this country, which is a neighbour that can change that kind of situation.

Al-Shabaab has given this country and Somalia a big problem. We know that they have killed many people in Somalia. They always hide behind the banner of religion. Somalis who are 100 per cent Muslims still have that kind of problem. Things are getting worse. *Al-Shabaab* was an affiliate of *Al-Qaeda*, but now they have turned to the Islamic State of Iraq and Syria (ISIS). Recently, they forcefully collected around 27 million US dollars, about Kshs2.5 billion, from the people, so that they could fight. One of the countries that they are eyeing to give a lot of insecurity is this country, because they believe they can have caliphates in north eastern and Coast regions under their own brand of Islam.

That can never happen. I say that because recently, we saw seen an intense kind of fighting. I urge our security forces to change their techniques and strategy. We must ask ourselves why they do not touch a country which also neighbours Somalia like Ethiopia, even with ten-foot pole. The Ethiopian troops do not use airstrikes. They follow these criminals on foot. We want our forces to do the same thing.

I ask my colleagues to watch the *Al Shabaab* propaganda video, and how they attacked the Westgate and Mpeketoni. For Mpeketoni, they came on foot from Somalia through the Boni Forest. In the footage, you can see a number of people speaking in Kiswahili. There are over 400 Kenyans who are trained by the *Al Shabaab*. They are very lethal. We should not bury our heads in the sand only reacting when *Al Shabaab* hits. We must have a strategy on how to handle this menace. Sometimes we ask whether our security forces are up to the task. We have pursued *Al Shabaab* in Somalia, but it is very unfortunate to say that most of our military personnel are in the barracks. They are not pursuing *Al Shabaab*. Instead of being offensive, we have become defensive, which is very wrong. We must try to take charge.

In fact, I support the suggestion by the Chairman of the committee on Administration and National Security that we better employ our Standard Eight school leavers, because the Form Fours and graduates do not want to die. Why should they join the military or the police if they do not want to die? If everybody thinks about money and how to build houses, who is going to protect this country?

**Hon. Speaker:** Hon. Shill, there is a point of order from hon. Eseli.

**Hon. (Dr.) Simiyu:** On a point of order, hon. Speaker. Is the hon. Member implying that Class Eight drop outs want to die?

**Hon. Shill:** Hon. Speaker, if you join the military or the police, you must be ready to be in the firing line. You cannot say that you are going to defend people when you fear death. You should not fear because death will come to us, anyway.

Appointing a military person as the Kenya ambassador to Somalia is the right thing to do. We believe that he is going to bring some changes both diplomatically and politically, so that we can understand what the Government of Somalia is thinking in terms of how we can help them to fight *Al Shabaab*, and so that we our tourism can be restored. Our citizens should be secure.

I second.

*(Question proposed)*

**Hon. Speaker:** In the priority of speaking, the Leader of the Minority has indicated that he wants to contribute.

**Hon. Nyenze:** Thank you, hon. Speaker for the chance to contribute to this very important Motion on vetting of nominees. I support the Report of the Committee. Major-General (Rtd) Lukas Tumbo is the right person for the job, because of his vast experience. He has good education and is trained in several countries. He has all it takes to make a good ambassador to Somalia. He has worked in very key areas in this country. He has a lot of knowledge on how to deal with matters insecurity. As has been said, Kenya suffers insecurity because of the lawlessness in our neighbouring country, Somalia.

From Somalia, small arms are smuggled through the border into Kenya, and used to kill our people all the time. North eastern region has been unstable and insecure, mainly because of Somalia and not because of South Sudan. We need to have someone who can fix that problem. Major-General Lukas Tumbo has had a long career in the military. He has all the expertise. The Committee looked at his qualifications and work background, and chose the best person to represent us in Somalia.

He held key positions from 1989 to 1990. He was the Assistant Chief Personnel Officer of the United Nations Assistance Group in Namibia. If this nominee who has been vetted by the Defence and Foreign Relations Committee is given the job, he will address key issues of insecurity, especially in terms of small arms which have caused havoc in this country. He has also said that he will address the issue of refugees. We have over a million refugees from Somalia in this country, which is a big burden to the taxpayer. It is a big burden to the people of north eastern Kenya. If these refugees are sent back home after stabilising Somalia, it will be a good thing.

He answered the questions that the Committee put to him satisfactorily. He said that he would also address the issue of maritime boundary between Kenya and Somalia. As you are aware, Somalia has taken Kenya to the International Court of Justice (ICJ), claiming that Kenya occupies her maritime territory along the coast. Retired Major-General Tumbo has said that he will address that in a diplomatic way. This is the way to go.

Major General Tumbo has also been the Managing Director of the Kenya Ordnance Factories Corporation in Eldoret, which is a very big corporation. So, he has knowledge in small arms. When asked whether we are militarising the public service, he answered very well that military officers retire very early because of the nature of their job, yet they are highly trained. When they retire, we can take advantage of their training, and they can serve in key areas. This is one of the key areas where Major General Tumbo can serve in because he has good training.

Hon. Speaker, as I said earlier, I feel that Major General Tumbo can fix the insecurity problem that we have in the northern Kenya region, through negotiation with the Federal Republic of Somalia. If we want to address this issue and also support the Committee's recommendation, the solution to security in northern Kenya can be achieved through recruitment of Somalis. People born in northern Kenya can squarely address the

insecurity problem in that region, because they know the language and the culture of the people. They can talk to people and nab the terrorists. Therefore, some of the ways of reducing insecurity in northern Kenya is recruitment of a squad of native Somali policemen, involving the local governments in the fight against terrorism, as well as involving the elected Members of the National Assembly and the Senate; they can help sort out that problem in the area where insecurity is rampant.

The nominee promised to prevent contraband goods that come into this country. Kenya loses a lot of money through goods that are not taxed. If you go to areas like Eastleigh, goods are very cheap. Maybe the reason is because they are not taxed. They come into the country through the Kenya-Somali boarder. The merchants in Eastleigh do big trade because most of them get goods without paying the taxes that this country needs for development. Maj-Gen. Tumbo has promised that, that will be one of his priority areas. He will help in generating revenue for the KRA by making sure that contraband goods do not find their way into Kenya duty free.

Hon. Speaker, from the questions that were put forth, and considering the achievements that the General has had, I have no doubt that this is the best choice. The Committee has done a good job. I urge the President to appoint Maj-Gen. Tumbo.

With those few remarks, I support.

**Hon. Speaker: Yes,** Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Speaker, I beg to support the Motion.

Hon. Speaker, the Leader of the Minority Party is a happy man. He has to make full disclosure because this nominee comes from his county. When another Kenyan's name is brought to this House for approval, never again will he say that Government jobs in this country are meant for two communities. Today I confirm that the Government has given a job to a Kenyan from Kitui County, an opposition stronghold. That confirms that the Government of President Uhuru Kenyatta is a Government for all Kenyans.

As I support, in very few statements, I want to thank the Departmental Committee on Defence and Foreign Relations for making sure that Section 6(3) of the Public Appointments (Parliamentary Approval) Act is complied with. The Committee also complied with Section 6(9) (ii) of Act No. 33 of 2011. Article 118 (1)(a)(b) and (2) of the Constitution, regarding public participation, has also been complied with.

Hon. Speaker, with a very light touch, the Major-General has gone to the same controversial university as the Inspector-General of Police went – Washington University. That was a coincidence. We need to find out about this university. Parliament should do a serious due diligence of that university. He is concluding a Master of Arts degree course in International Relations at the Washington University, USA. He needs to consult Mr. Boinett to find out what he went through when he was being vetted.

As the Leader of the Majority Party, I hope that the President is listening to me. A trend has been established in his country in last two years, where retired military generals are given jobs. Retired military generals must go home. They must hang their boots and allow young Kenyans, who are qualified to be given jobs. We have a general who is running the Immigration Department; we have another general who is becoming Kenya's ambassador to Somalia; we have a general who is our ambassador to Egypt. We have a general who is in charge of the Ministry of Interior and Coordination of National Government.

**An hon. Member:** On a point of order, hon. Speaker.

**Hon. A.B. Duale:** You must say under which Standing Order (SO) you are raising the point of order.

Hon. Speaker, my concern is that Kenya is going through a democratic process. We have a very young skilled labour force. My father-in-law is a general, who retired in 1996. Gen. Mohamed has a very strong role to play. Generals should join Gen. Tonje, Gen. Kibwana and all the others who have retired. We should not bring back generals to active duty. In Western democracies like the United States of America and the United Kingdom, generals become lecturers. They become consultants and defence analysts. They do not join the public service. We are telling our President that, hopefully, this will be the last general to be given a job. I have nothing against generals, but we must employ the young, energetic professionals. If you retire at the age of 60, so be it. Even us politicians, when we lose elections, we go back to the village. We rarely get jobs. So, it is not good for a country that is developing its democracy to bring back military generals into active public service. Military generals have some history; they have some character and form. I am sure that hon. Makali is wondering if I have anything against Gen. Tumbo. I have nothing against him. He is one of the few generals from the county of the Leader of the Minority Party. He is a happy man today but next time when we get one from Meru, he must support him. He has been opposing. It is Parliament which is doing the vetting. We have young Kenyans who are studying international relations.

Finally, there are Kenyan career diplomats who grew in the Ministry of Foreign Affairs. They joined the Ministry of Foreign Affairs when they left university. Some of them are at the positions of directors. As a country, we must have more diplomats from career diplomats.

Somalia is a very important country to Kenya. Look at the lady US ambassador that President Obama appointed two months ago. She was one of the finest diplomats in the State Department. Kenya should have appointed the best diplomat. Our presence in Somalia is not about diplomacy. It is about getting hold of the region.

If you look at the Ethiopian and Ugandan ambassadors in Somalia, they are the most intelligent and best career diplomats. When you take a General to Somalia and you want that General to compete and make sure that Kenya--- You know the person who is listening to me very attentively is the former Assistant Minister for Foreign Affairs and he knows what I am talking about. Hon. Leader of the Minority Party, you were on leave for many years.

*(Laughter)*

Somalia is important to us as a region. Somalia is important to Kenya because Kenya is a hub –politically, diplomatically and economically. We must be in charge of Somalia and other countries. The culture of appointing--- What is our interest in Somalia? Because of our Kenya Defence Forces (KDF), I hope the General---

Finally hon. Speaker, we have no Embassy in Somalia. The General should not operate from Nairobi once he has been appointed by the President. The British, Chinese, Ugandans, Djiboutians and Ethiopians have embassies in Somalia. What is it that makes Kenya not to have an ambassador in Mogadishu? So, Gen. Tumbo should not have an

office at the National Social Security Fund (NSSF) Building because that is where they have been for the last three years. Diplomacy is about business. We want the Government of Kenya to open a consular office in Hargeisa because Mount Kenya University is in Hargeisa. There are many Kenyans working in Somaliland because it is more peaceful. Kenya should open consular offices in Puntland, Jubaland and Kismayo, so that more Kenyan businesses can be opened. When we have an Ambassador along Harambee Avenue claiming to be the Ambassador for Somalia, what is he or she doing there? Otherwise, call yourself the ambassador for Nairobi County.

Finally hon. Speaker, I am sure hon. Members of Parliament from Kitui County led by the Leader of the Minority Party will have no other reason to mislead the people of Kitui County that President Uhuru Kenyatta's Government is not an all-inclusive Government. I am sure they have ambassadors, the Cabinet Secretary (CS) for Lands, Housing and Urban Planning and, if they behave very well, they will get more.

*(Laughter)*

Thank you, hon. Speaker. I beg to support.

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, like we said, it is not everything that is said that will be palatable to all of us. But, that does not become the necessity for a point of order. You will get a chance to say the opposite, please.

*(Hon. Onyonka moved to the Dispatch Box)*

**Hon. Onyonka:** Ahsante sana, mhe. Spika kwa kunipa fursa hii kuchangia Hoja hii yenye makuu kwa nchi yetu. Kwanza, ningependa kusema kuwa nitakubaliana na Mwenyekiti wa Kamati yetu ya Bunge ya Ulinzi na Mashauri ya Nchi za Kigeni, mhe. Gethenji, ambaye amefafanua na kusema mengi kumhusu Meja-Jenerali Mstaafu Tumbo.

Kwa kusema kweli, tuliketi na wanakamati wote tukazungumza na kujadiliana sana kuhusu ndugu huyo. Ningependa kusema kuwa, kama Kinara wa WalioWengi Bungeni mhe. Duale, nakubaliana kuwa ingekuwa vizuri iwapo waliosomea diplomasia wangekuwa na fursa ya kuitumikia nchi yetu katika Idara ya Mashauri ya Nchi za Kigeni. Lakini tulipoangalia ujuzi wa huyu Bw. Tumbo, tuliitana na tukazungumzia mambo yake na kuelewana na kukubaliana kuwa ingekuwa vizuri kama Mheshimiwa Rais angepitisha jina lake ili awe balozi wa Kenya kule Somalia.

Mhe. Spika, vile ndugu zetu wamezungumza katika Bunge hili letu leo ni kuwa Meja-Jenerali Mstaafu Bw. Tumbo ana ujuzi wa kimasomo, kikazi, kijeshi kwa kuwa ahasomea mambo ya kijeshi kule Pakistani na Marekani kwa shule kubwa kubwa za kijeshi na amefaulu na kusifika sana. Tukaangalia na kusema kwa kuwa Somalia ni nchi inayoendelea na vita mpaka sasa, pengine ingekuwa vizuri yeye aende pale ili ajaribu kujihusisha. Isitoshe, jambo tulilomuambia ni kuwa atajaribu kujihusisha na kuzungumzia pande zote kule Somalia ili tujaribu kupata nafuu na kuelewana na wao vile tungependa uhusiano kati ya Kenya na Somalia uwe.

Ningependa kusema kuwa tuliuangalia uteuzi wake si kwa kikabila bali kama wengi walivyosema hapa, tungependa kusema kuwa tunakubaliana kuwa tungependa Mheshimiwa Rais Kenyatta ajumulishe Wakenya wote na ahakikishe kuwa tuna sura ya Kenya atakapokuwa anateua maafisa wa Serikali, hata kama ni mabalozi au viongozi wengine katika idara za Serikali. Hivyo ndivyo tunaweza kuendeleza nchi yetu ili iwe nchi inayoheshimika na kukubaliana na maadili ya kidemokrasia.

Kumalizia, ningependa kusema kuwa ingawa Meja-Jenerali Mstaafu Tumbo alifanya kazi kwa Jeshi la Kenya, tunaamini kuwa akifika Somalia, atazungumzia masuala ya Somalia na Kenya na kumueleza Rais Kenyatta ukweli ulivyo. Tunaamini ataleta ujuzi wake wa kijeshi na kuzungumza na pande zote huko Somalia. Kama inawezekana, azungumze na kila mtu ambaye amejihusisha na mambo ya Somalia. Kwa hivyo, ningependa kusema kuwa na kubaliana na Hoja na vile Mwenyekiti wangu amesema, kuwa Meja-Jenerali Mstaafu Tumbo ni Mkenya halisi na aliye na ujuzi, tungependa kumuuliza mhe. Rais akubaliane na kuidhinisha uteuzi wake.

Ahsante sana, mhe. Spika.

**Hon. Speaker:** Hon. Johana Ngeno.

**Hon. Kipyegon:** Thank you, hon. Speaker for allowing me this opportunity to also make a contribution towards this Motion. I also support, although reluctantly, because we know what diplomacy is. As a student of International Studies and Diplomacy, I really understand the facts surrounding this position – the position of an ambassador – especially an ambassador to a country that neighbours ours. We have so many problems and issues with Somalia.

Hon. Speaker, like my colleagues have said, we would have expected the President of this Republic - and we are sending this message to the President: “Next time you make appointments, please, consider Kenyans who have read and spent millions of shillings studying for particular careers. This is a retired General and, of course, we cannot condemn him to retirement in the village. Of course, the Committee asked him what benefits he is bringing to the position he is being appointed for.

The rationale is that those people are retiring earlier based on the nature of their work. But we have Kenyans who went to school and studied careers. Those are the Kenyans we need to be looking at. Those are people who are right now working in positions that they are condemned to work in forever until they retire. Then they retire as people who hold no serious positions.

Hon. Speaker, the questions we are asking are: Where are those students who have been studying diplomacy and international studies? Where are those students who went to the University of Nairobi (UoN) and other universities in this country to study for those positions? We are just shopping and making desperate moves by removing people from positions which are not related to the positions we are appointing them to.

As a country, we have a very serious economic stake in Somalia. Somalia, of course, as we know, has a lot of problems. But Somalia is very important to this country economically. We would wish to have an ambassador who has a background in economics so that we can see how we can benefit from that country. The major reason why the Committee and the President looked at this gentleman is because we are at war with Somalia. We are not going to be at war with Somalia forever. At one particular

point, Somalia is going to be stable and we need to be looking at how we can benefit from Somalia economically.

We have had several appointees to positions in this Government and I think the President and the Deputy President who are digital, have a higher affinity for older people. When you look at the appointments they have been making all along, they are old people of over 70 years and yet, we have young men and women in this country who can hold those positions, whether they are 35 years or younger. We can have an ambassador who is 25 years old. We can have a chairman who is 35 years old. As hon. Members of this house, especially the Committees that deal with appointments, we need to be looking at not only the question of tribal balance or regional balance, but the question of the youth and the careers of people who are being employed to those positions, so that we do not just rubber-stamp what other people have done.

I wish to state that the border between Kenya and Somalia is very porous. We hope the gentleman who has been appointed will use his military background to ensure that we stop the proliferation of small arms across our borders. We must also understand that there is a dispute currently in the United Kingdom Senate and in some other places, where Somalis want to remove the Kenya Defense Forces (KDF) from their country. We wish to support that gentleman because we hope he is going to advise the country on matters of dealing with militarisation in Somalia. Like another great gentleman has spoken, it is like Kenya is going the military way. Kenya is almost becoming a military state so that when you look at the President, almost all the time, he is in a military uniform. We do not want to militarise this country. We do not wish to have military people everywhere. This is a civilian state and although when that gentleman retired he became a civilian, we also need to have input from civilians in positions meant to be held by civilians.

I want to end by saying that the issues that the Committee looked at and inquired from the nominee, he gave answers on how he was going to deal with them. On how he would deal with the question of the Petition between Kenya and Somalia in the United States Senate, he hinted that he was going to look at how to handle that issue diplomatically, because our men and women in uniform are “kind of” occupying Somalia.

Another question that was raised and the gentleman seemed to seriously understand it was how Kenya was planning to withdraw the KDF from Somalia. His answer was that Kenya currently is not in Somalia as Kenya, but it is in Somalia under the African Union (AU). We also need to make the people of that country to understand that Kenya is not in Somalia as the KDF, but under AU so that people can stop attacking this country. *Al-Shabaab* will not be attacking this country based on the fact that we have Kenyans in Somalia. We have Ethiopians in that country. We have Ugandans in that country. We have so many other countries in Somalia.

Hon. Speaker, the Ambassador-designate should make it clear to either the Somali Government or the militants in that country that Kenya is not in Somalia as KDF. Kenya is in Somalia under the African Union and the gentleman seemed to understand that. Also, another major issue is the illegal trade which, as we speak today, has seen the proliferation of arms in the streets of Nairobi, villages where there is cattle rustling and areas where we have been having tribal clashes. The reason why we are having guns in

those particular areas is because our borders are porous. If we have to stop the proliferation of firearms in this country, then we must have somebody who has a very serious understanding in those particular areas. I only support that gentleman because I believe he has the intelligence; he has the know-how; he has that kind of experience to understand how to stop the transfer of arms to this country.

Last on terrorism, we need this country to be protected. We need to have an ambassador who has a very clear understanding on how to handle terrorism in this country. The terrorists who normally attack our country are from Somalia and other countries. We want that gentleman to advise the President and the intelligence of this country properly on how to handle the question of terrorism.

I support.

**Hon. Okoth:** Thank you, hon. Speaker. I rise to support the appointment of Major General (Rtd.) Tumbo to serve in Somalia as the ambassador of Kenya. Somalia is a country of very serious strategic interests to Kenya. It is in our national interest when we think about our relationship with Somalia on matters of security and terrorism, smuggling, migration, spread of small arms, weapons and other things. It is also very important in terms of our economic relationship. Somalia represents a potential great market for exchange of labour, goods and services, including banking and the technology sector where Kenya is a leader. So, it has been mentioned and I repeat; that, even in the construction and reconstruction of that country as we have seen in South Sudan, Kenya stands to benefit a lot. It is in our interest and I am excited that Major General (Rtd.) Tumbo will be heading to do that important mission in Somalia.

When I think about Somalia, Major General (Rtd.) Tumbo has his work cut out for him. There are a lot of things he should focus on quickly and start delivering results in light of those national interests I have talked about, including the cultural ties that we share very closely. We must remain in Somalia. Right now as Kenya, we have the KDF fighting there to help bring peace and stability that country. They are assisting the Government of Somalia. But I also think that Major General (Rtd.) Tumbo should help to guide our thinking about the nature of our engagement in Somalia militarily. My suggestion would be that he must consider a strategy that, in conjunction with our military leaders, will change our footprint from the control of the ports to a much more targeted control of our borders. We need to control the crossing over of weapons, *Al-Shabaab* or any other forms of illegal trade.

Yesterday during the debate on the Adjournment Motion, we heard that the borders of Kenya from Lamu, Tana River, Garissa, Wajir, Mandera and all the way to Marsabit counties are not well secured. The reason for this is the nature of deployment of our military in Somalia. We need to change the way they operate so that they are more focused on border control and patrol. I hope Major-General Tumbo will focus on this.

A second important issue that Major-General Tumbo should think about is the comprehensive re-thinking of our refugees issues with Somalia. Kenya, as a member of the international community of nations, has done a lot and shouldered a very heavy burden with open hearts and with a lot of generosity to host more than 400,000 refugees from Somalia over the last 25 years. This is half the history of this country which is now only 50 years old. It shows the magnanimity of our country and willingness to show our

brotherhood to our Somali brothers and sisters in their time of need. However, this also has stand out to be something that we must re-think carefully now.

When we first hosted Somalia refugees, we thought that it was a short term emergency and that refugees in Kenya from Somalia would be here for, maybe, a year or two before peace returned to their country. Clearly, what we are now facing is a protracted refugee situation where the third generation refugees are being born in our refugee camps, in places such as Dadaab. That encampment policy is not a very good idea. As a Member of the Human Rights Caucus of this House, I had the opportunity this weekend, together with my colleagues from Ol Jorok, Wajir South, Garissa County and Ndhiwa Constituency, to visit and see for ourselves first-hand what those camps look like in Dadaab, Garissa County. One of our key recommendations is that the camps have failed because of the inhumane conditions therein. With the third generation of Somali refugees being born there, we hope that Major- General Tumbo will focus on helping the Government of Somalia, the regional Governments and the Kenyan Government to figure out a comprehensive solution that could ensure that many Somali refugees in Kenya return voluntarily to a stable Somalia, so that they can re-start their lives in that country.

However, there are those who cannot leave the camps and go back to Somalia because they do not feel safe. Many of them were born here and got married here too. There is a leadership discussion and engagement that must be heard in this country about offering them a path to citizenship very quickly. The camps are not sustainable. There is serious donor fatigue and major environmental destruction in the counties of Wajir and Garissa, where the 400,000 refugees are living in camps. They are residents there. The host communities told us that there are issues about depletion of the forests and water tables. We have to think about moving those refugees to a dignified place and allowing them to live in other parts of Kenya. For those who are law-abiding, we need to provide them a quick and clear path to Kenyan citizenship. For those who want to return to Somalia, they should do so voluntarily and to a peaceful and stable Somalia.

When we think about the impact that the protracted refugees crisis has had on Kenya and the demands that our Government has borne, we realize that--- We are doing something that, in the last 50 or 60 years since the World War II, no other country has done - that is to bear such large numbers of refugees. So, I am proud to be a Kenyan. We are a country that does not just pay lip service to human rights. However, we also have to be proactive and make sure that we do not face another crisis of this magnitude as other Members have alluded to here in the debate. There is a conflict in Southern Sudan that has been going on and festering for about a year. I call upon the leadership of this House, especially the Departmental Committee on Defence and Foreign Relations, to re-think and help us find a solution in South Sudan that does not create another crisis like the one in Somalia.

In particular, I would like to emphasize three suggestions. The first one is that President Uhuru Kenyatta as head of Inter-governmental Authority on Development (IGAD) should engage it and the African Union (AU) and bring back that negotiation process between the rebels and the Government of South Sudan. They should be brought to a committed engagement and negotiations somewhere in Nairobi or Naivasha or Machakos as we did in the initial peace process. I am sure that will help a lot. We know that the 16 months of engagement and negotiations in Addis Ababa have not borne any

fruit. There have not been good agreements that both sides have held on to and the conflict keeps on simmering and more South Sudan citizens are suffering. Our Government should insist that President Salva Kiir and the rebels led by Dr. Riek Machar must commit to a cease-fire and negotiations. During that process, they should allow for the opening of humanitarian aid corridors so that there are no people who are suffering within South Sudan. Those who are suffering should get the help they need so that they do not feel the pressure to migrate to Kenya and bring a lot with it a bigger humanitarian burden or any other attendance security risks.

Last but not least, I wrap up where I started, by arguing that Somalia has a lot of interests. It touches a lot on the national interest of Kenya; be it security and terrorism, economic and market interests, cultural and religious ties that we share. The same applies to South Sudan which, in this matter, I would like to call upon powers such as the European Union (EU), United States of America (USA), Britain and all of the United Nations (UN) Security Council to hold off on the sanctions that have been a threat in South Sudan. If they show willingness to come to serious negotiations in Kenya, a willingness to take care of their own Internally Displaced Persons and open up humanitarian corridors, they should not be given sanctions because they will have a direct effect on the economy of Kenya. It is Kenyan banks that are leading in South Sudan. If you slap any sanction on them, it is Equity Bank and Kenya Commercial Bank (KCB) that will lose. It is Kenyan traders and contractors who are working in South Sudan and being part of the engine of that economy who will lose the most. So, we have a stake. I wish Major-General Tumbo the best as he sets off to Somalia. I wish him success. May we think about the crisis that we have had there for a long time and make sure it is not repeated in South Sudan.

I support.

**Hon. Speaker:** Hon. Florence Kajuju.

**Hon. (Ms.) Kajuju:** Thank you, hon. Speaker. I stand to support this Motion as presented by the Committee on Defence and Foreign Relations. I had a look at the duties of a commissioner or an ambassador which are well enumerated in the Report. One of the duties that is close to my heart is the promotion of sub-regional, regional and international integration and co-operation. So, as the Chairperson of the Committee on Regional Integration, this is something that is very close to us. It gives us the mandate then to look at issues of integration within East Africa and beyond. One of the reasons the Regional Integration Committee was formed by the Tenth Parliament was to ensure that they deepen and widen the integration process. This is what we are doing within the East African Community. However, we know that our neighbouring countries have expressed interest and given notice of application to be enjoined as part of the EAC. South Sudan and Somalia are the countries I am talking about.

When the President nominated Ambassador Lucas Tumbo to be an ambassador in Somalia, he was only practicing what he believes that one time one day, we are going to be an Eastern African Community that includes not only the five partner States, but South Sudan and the Federal Republic of Somalia. If Somalia is going to be part of us, then we are going to be a better community because we shall join our neighbours within the community. So far, within the East African Community, we have been able to pass

various protocols that deal with the customs union, the common market and the monetary protocol. Now, we are looking at the direction of the political federation.

When the day that we are going to be one East African people comes, I pray and believe that the Federal Republic of Somalia will be walking with us in that distance.

Our President, His Excellency Uhuru Kenyatta, has preached the issue of having a common bond as East Africans. That includes our neighbours. As I speak, the Committee on Regional Integration is looking at the Peace and Security Pact and the Protocol which is supposed to look at issues that concern the East African Community in as far as peace is concerned. We cannot speak about peace within the East African Community if we do not look at our neighbors. What kind of peace are we going to enjoy if our neighbours are not enjoying the peace that we experience within our Community? This is a step in the right direction. I commend His Excellency the President for doing this for us, not only for Kenya, but for the East African Community.

When we talk about a common market within the East African Community, we are praying that we open more markets within the East African Community. We know that there are a lot of goods, services and trade that can be exchanged between the two countries of Kenya and the Federal Republic of Somalia. Speaking as the Women Representative for Meru County, we produce *miraa*. The major consumer of *miraa* is the Federal Republic of Somalia. I will be the first person to ask the Leader of the Minority Party, because he appears to know Amb. Tumbo, to ensure that there is a relationship between Meru and Ambassador Tumbo, so that when he goes to Somalia, he can ensure that more money is exchanged through the export of *miraa* to that country. I strongly support the appointment of Major-General (Rtd.) Tumbo to that position.

The other plus for Major-General Tumbo is that he has the expertise in peace-keeping within the United Nations, East Africa and Africa. He has been to Namibia, Eritrea and Ethiopia. This is the best character that can address the issues that regard peace and security within East Africa and, most importantly, our relationship as a country with the Republic of Somalia.

With regard to the refugees status, which has been spoken about by some of my colleagues, we have experienced situations within Kenya in as far as refugees are concerned such as the inflow of refugees into Kenya from Somalia and from other countries. If we want to address the issue of refugees, then we need to have experienced people who have dealt with situations that are similar to what Kenya is experiencing. This is the best candidate for the job. He is not old. He is only 58 years old. That means that he has the energy to run around. He has the capacity and knowledge of having been a General to deliver the service that we, as a country desire, so that integration can be deepened, widened and tightened and Kenya and Somalia will be better countries.

I support.

**Hon. (Bishop) R. Mutua:** Thank you, hon. Speaker. From the outset, I support this Committee Report for the following reasons. First, I know Major General (Rtd) Tumbo. He was my classmate. If there are men of high integrity, this is one of them. Secondly, we cannot talk about Somalia like we talk about other countries. It is not business as usual in Somalia. It is business unusual. Therefore, we cannot just take a diplomat who does not understand issues of war, terrorism and insecurity that face Somalia. We require a General who understands issues of war and diplomacy and, at the

same time, understand the importance of retaining high integrity as you do your business, so that you do not get corrupted in the process.

Major General Tumbo qualifies as an asset to Kenya and Somalia. He is going to be involved in all the processes of ensuring that the relationship between Somalia and Kenya is not only cordial, but also peaceful. It is very important for us, as Kenyans, to realise that we require a Somalia that is stable, peaceful and that feels part and parcel of this region.

When I look at the qualifications of Major General (Rtd) Tumbo, I realise that he is a man who has the knowledge of the entire region. He has what it takes to start this particular Mission on a very right footing, so that those who shall come after him shall find a Mission that has been well-grounded on the principles that can bring peace, trade and harmony within the region. I agree with those who feel that we should have got a young person, but I would like to ask whether we should take people who are going to be killed because they do not understand the intricacies or the security challenges that are facing Somalia. No. We need to have somebody who understands what awaits him. I was very impressed when he said that he is ready to go. He is not going out of ignorance. He is going out of courage, knowing fully what awaits him. This is very important. I want to congratulate the President for having nominated Major General (Rtd) Lucas Tumbo to go and get the issues that are between us and Somalia well sorted out.

With that, I support him wholly.

**Hon. Gichigi:** Ahsante, Mhe. Spika. Nilipokuwa nikija Bunge siku ya leo, nilikuwa nimejitayarisha kuipinga Hoja hii kwa sababu hivi majuzi, tuliletewa majina ya watu ili tuyakubali au tuyakatae, lakini tuliyakubali. Hayo yalikuwa majina ya walioteuliwa katika Tume ya Huduma ya Walimu. Siku ya leo, nilipoangalia Ripoti ambayo Kamati imetuletea, niliona kuwa Serikali imeleta jina la mtu ambaye amestaafu. Sisi wenyewe na hata Rais wetu na Naibu wake, tumekuwa tukiongea juu ya ukosefu wa kazi katika nchi hii. Zaidi ya asilimia 70 ya wale ambao wamekosa kazi ni vijana wetu. Kila wakati tunapotelewa majina ya watu ambao wamepatiwa kazi, ni watu ambao wamestaafu - wenye wamezidisha miaka 55 au 60.

Nilipoongea na Mwenyekiti wa Kamati hii, niliambiwa kuwa wale ambao wamekuwa mabalozi katika Somalia miaka kadhaa iliyopita, wamekuwa wamekatalia hapa Nairobi kwa sababu ya kuogopa ukosefu wa usalama katika Mogadishu na nchi ya Somalia. Kwa sababu huyu Generali amekubali kuenda kutuwakilisha katika nchi ya Somalia, kukaa huko badala ya kukaa katika Jumba la National Social Security Fund (NSSF) hapa Nairobi, nitaunga mkono uteuzi huu.

Tuko na shida sana katika nchi hii. Ningependa kumwambia Rais wetu, Naibu wake na Tume zote ambazo zitaleta majina ya watu ambao wameteuliwa ili wapitishwa na Bunge hili, kuwa tutapiga kampeni katika Bunge hili ikiwa watu hao hawatakuwa na miaka ya chini kidogo.

Iwapo watu ambao watakuwa wakichaguliwa hivi karibuni hawatakua watu wenye umri mdogo, kukiletwa watu ambao wamestaafu, kama Bunge, tunafaa kukataa. Sisemi kwamba watu ambao wamestaafu ni wabaya lakini ni lazima tuzingatie maslahi ya wafanyikazi wa nchi hii. Katika nchi hii, kuna vijana ambao wamehitimu. Kupitia Hoja ambayo ilikuwa hapa, tuliongezea muda Kamati ya Haki na Masuala ya Sheria

ikamkague mtu ambaye ameteuliwa kujiunga na JSC. Iwapo watatuletea watu ambao wamestaafu, nawaomba waheshimiwa tukatae.

Jambo lingine ambalo ningependa kulitaja ni kwamba Kaunti yangu ya Nyandarua imesahaulika kabisa katika mambo ya uteuzi. Sisi hatuna mtu ambaye ameteuliwa kuwa Balozi ama Waziri. Pia, miongoni mwa Makatibu kwenye Wizara za Serikali, hakuna hata mmoja kutoka Kaunti ya Nyandarua ingawaje kuna wanaojihusisha tu na Kaunti hiyo. Kwa hivyo, ninamuomba Rais; anapoteua wafanyikazi wengine wakuu wa Serikali, aikumbuke Kaunti ya Nyandarua.

Mhe. Spika, kuna shida kubwa kwenye mpaka wa nchi hii na Somalia. Kuna watu wanaofikiria kwamba magaidi wa *Al Shabaab* wanatushambulia kwa sababu tulipeleka majeshi yetu kule Somalia. Uhalifu unaofanyika katika Kaunti za Mandera, Garissa na Wajir umekusudiwa kuwafukuza wafanyikazi wa Serikali ambao wanazuia kuingizwa kwa bidhaa haramu humu nchini. Nilipokua kwenye Bodi ya KRA, tulijua kwamba ukosefu wa usalama katika mipaka yetu ulikuwa unasababishwa na watu wanaoingiza bidhaa haramu humu nchini. Lengo lao ni kuhakikisha kwamba hakuna maafisa wa polisi ama maafisa wa KRA ama maafisa wa Idara ya Uhamiaji kwenye miji ya mipakani. Kama kuna biashara ambayo inaitolea Kenya hasara, ni ile ya kuingiza bidha humu nchini kupitia Somalia.

Wengi miongoni mwetu hatutaki kuamini kwamba wanajeshi wetu walioko Somalia wanafanya biashara hiyo. Hatutaki kuamini kwamba hilo ndilo linalofanyika. Tunawaomba marafiki zetu wanaotoka kwenye kaunti hizo tushirikiane tuweze kuisaidia Serikali. Wafanyi biashara kutoka kaunti hizo, wakishirikiana na wengine ambao wako hapa Nairobi, wanafadhili makundi yanayohusika kwenye uhalifu unaochangia kutokuwepo kwa usalama. Ukiona Serikali imefikia kiwango cha kusema itajenga ukuta kati ya Kenya na Somali – jambo ambalo halistahili kufanyika kabisa – ni kwa sababu ya huo ukora.

Mhe. Spika, kwa sababu Gen. Tumbo, ambaye ameteuliwa na Rais, amekubali kwenda Mogadishu, nitaiunga mkono Hoja hii. Lakini iwapo uteuzi wa baadaye hautazingatia sehemu zote za Kenya, na haswa Kaunti ya Nyandarua kukumbukwa, nitakuwa miongoni mwa Wabunge ambao wataupinga uteuzi huo. Kwa hayo machache, naunga mkono Hoja hii.

**Hon. Speaker:** Hon. Ferdinand Wanyonyi!

**An hon. Member:** He has gone away.

**Hon. Speaker:** Next to him is hon. Marcus Muluvi.

**Hon. Muluvi:** Thank you, hon. Speaker, for giving me an opportunity to contribute to this Motion, in support of the nominee.

Hon. Speaker, I want to be on record that I have known Gen. Tumbo for all the years he has been in the military, together with me. I will not say what I want to say about him because he comes from my county, but because he is a man of great integrity. We have served together in the military, and I want to inform this House that to be an Ambassador in South Sudan or Somalia at the moment, is not business which can be taken by anybody. We need people with great security background, just like my friend, Gen. Lucas Tumbo. It is on record that Gen. Tumbo has served in a UN Peace-Keeping Mission in Namibia when he was a young officer. He later commanded a sector in South Sudan as a Brigadier. He also served as a Brigadier during the Eritrea-Ethiopia conflict.

Hon. Speaker, Gen. Tumbo has enough experience. Currently, as we all know, Somalia is undergoing low intensity conflict. It requires somebody with strategic intelligence knowledge. He also has immense knowledge of conflict resolution, among other things he will be championing in Somalia. Somalia is a country of strategic interest in this region. I am aware that Gen. Tumbo has what it takes to promote regional security. Security is the backbone of regional economy. Until Somalia stabilises, we should not expect to see much economic activities not only in Kenya, but also in the entire region. I am fully aware that Gen. Tumbo has what it takes to contribute meaningfully in the stabilisation effort of Somalia, as our Ambassador.

With those few remarks, I beg to support.

**Hon. Speaker:** Hon. Chanzu

**Hon. Chanzu:** Thank you, hon. Speaker. I also want to join my colleagues in supporting the appointment of Major General Lucas Tumbo as the Kenyan Ambassador to the Federal Republic of Somalia. I was looking at the constitutional aspect. I found that the Major-General is qualified for the job. Although some of my friends are lamenting about diplomacy and so on, I can see that he has a Bachelors Degree in International Studies and Diplomacy from Washington University, USA, and a Diploma in International Studies from the University of Nairobi, a Diploma in Strategic Studies from Kansas University, USA, a Diploma in Development Policy, USA, a Diploma in Security and Development from the National Institute of Higher Education in France, among other certificates contained in his booklet. He also has an element of humanitarian law from Accra.

On the aspect of regional and ethnic balance, I note that he best fits because of where he comes from. The qualifications of the Major-General are diverse. This is what you need, including his age. That is because the kind of issues he is going to deal with will be quite diverse. We need somebody who has not only learnt about certain things, but who has also had practical experience. With these qualifications, plus the postings that he has had in various countries, he should be able to tackle the issues that we have to deal with to normalise our relations with Somalia.

Hon. Speaker, the issue of authenticity of his academic credentials and recognition of the university he has attended came up. The nominee stated that he obtained his education qualifications from an institution that enjoys international recognition. So, we are not in doubt there. There is also an aspect where he was asked about peace-keeping experience. He informed the Committee that he would use the lessons he had learnt during the peace-keeping missions in Namibia, Eritrea and Ethiopia. This is very relevant because it is within the same area. With that, I see that the Major-General qualifies and it is up to this House to approve his nomination so that he can be appointed as an ambassador. That way, the work that has been lagging behind between ourselves and Somalia can now commence and we have peace in the entire region.

I support.

**Hon. Speaker:** Hon. Denitah Ghati.

**Hon. (Ms.) Ghati:** Thank you very much for giving me this opportunity to contribute. I want to state that I support the Major-General. I am a Member of the Departmental Committee on Defence and Foreign Relations before which that gentleman appeared. I found him to have quite a lot of experience having worked from 1980 and

rising up the ranks until 2012. However, I had a problem with a retired Major-General. Just like my colleagues have said, I do not understand why we have to recycle people who have already retired and bring them back to service. I raised that issue in the meeting. However, having looked at his vast practical experience, which he gained in several countries when he was representing Kenya, I felt that he is a good guy and he will represent Kenya well in Somalia.

Somalia poses a very great challenge to our own security in this country. Therefore, this job needs somebody who has experience in handling issues to do with security and peace. Somalia is our strategic partner. I have had an opportunity to work in Somalia before I joined this Parliament. I was working for UNICEF Somalia. I can tell you that the issues that face Somalia and the issues that trickle back into our country remain very challenging and immense. Therefore, I believe that this Major-General will be in a position to handle issues of insecurity, especially the issue of radicalization of our youth.

When we were interviewing the gentleman, I found him to have quite enough knowledge in how he intends to help in the rebuilding and reconstruction of Somalia. He explained how he is going to forge and force co-operation between Kenya and Somalia. I once worked in Kakuma Refugee Camp and Hagdera. The largest percentages of refugees who infiltrate our country come from Somalia. Therefore, this gentleman exhibited a lot of confidence on how he is going to tackle the issue of refugees in this country.

With regard to his education, you will realize that he is a man who is on mission to improve himself and, therefore, be an asset to this country. He is currently finishing up his masters degree as you can see in his resume. He has done a lot of work on getting his bachelor's degree and diplomas in diplomacy and international relations which are what is essential for someone who is looking for an international assignment.

However, I look forward to a time when I will see somebody from my community being nominated for such a position. I come from the Kuria Community. I can tell this House that ever since we started seeing people being appointed and nominated, the Kuria Community has always remained behind and yet, we are very few. We are just a handful and even if the President decided tomorrow that he is appointing one person as an ambassador, that person will be able to feed the entire community. I look forward to the day when the President will look at the smaller communities of this country. Those communities have also taken their children to school and they have people who possess the right qualifications. I look forward for a day when we will do deliberate discrimination in this country. The President needs to do deliberate discrimination and say: "This time round, we are looking at communities that have traditionally been sidelined in development." He needs to focus more on the communities that have not been enjoying the national cake and decide to choose a representative or an ambassador from those communities. The Kuria Community has never known an ambassador, who comes from there, let alone a deputy ambassador, cabinet secretary or principal secretary. The community has been left out in all the appointments, including those to parastatals. We want to see a country where smaller communities are also represented.

I, therefore, wish to support the appointment of Major General (Rtd) Tumbo, but with those reservations and I know that the President will listen to some of the issues that we are raising.

**Hon. Ekomwa:** Thank you hon. Speaker. I stand to support this Motion because Somalia has been having insecurity problems. Maybe, by appointing Major-Gen, we might solve some of the problems that Somalia is facing. I also support the Report because the Committee sat down and scrutinized him. Therefore, it is better to have him as an ambassador. However, every time we approve nominations in this House, the reports brought by the committees always confirm that the person to be appointed is very competent. However, when the specific person goes to work, he or she becomes incompetent! We really wonder! Can we form another apparatus so that we can confirm that, indeed, the persons we approve in this House are competent? We have been approving people here, especially those in the security sector, but when they go there, we start seeing their incompetence. They work opposite of what they said to the Committees and the House. I do not know whether it is the committees that are the problem or the House. Is it that the work is too difficult for them? It actually undermines the integrity of this House when we approve someone who in turn becomes incompetent. I hope Major-General (Rtd) Tumbo is listening to what I am saying.

The issue of insecurity in Kenya is alarming. Insecurity problems in Kenya mostly come from the borders. For example, most of the problems in Mandera come from Somalia. In Turkana County, most insecurity problems come from Southern Sudan. If you go to Ethiopia, you will also find that insecurity problems actually come from the border. Kenya is supposed to look into the security situations and make sure that it does not just engage in making appointments; rather it should act to protect Kenyans. The people we nominate should actually serve Kenyans and ensure that Kenyans are protected.

Hon. Speaker, I just came from Uganda. I had gone there to plead with the Ugandan Government to allow our pastoralists to graze there and be given water. I was really impressed by how Uganda is protecting its people. Every five kilometers, they put what we call a “detachee security camp” to take care of their pastoralists and citizens. Those people who are taking care of the pastoralists are citizens and the Uganda Peoples Defence Forces (UPDF). However, here in Kenya, you find our borders are porous and very insecure and yet the Constitution is very clear. It says that the Kenya Defence Forces (KDF) are supposed to take care of our borders. However, you find that KDF soldiers are not at our borders. All the KDF soldiers are in Nairobi and yet, Nairobi is not bordering any country. Nairobi is the headquarters of Kenya. For KDF to be consistent with the Constitution, they are supposed to be devolved. They are supposed to stay at the borders. For instance, they are supposed to be at the borders of Uganda, South Sudan and Somalia. This is one way through which we can be convinced as Members of Parliament that KDF soldiers are taking care of our borders.

**Hon. Speaker:** Just a minute, hon. Ekomwa. Do not switch off the microphone. Please, hon. Members, we are discussing the suitability of the nominee. You discussed the general disorder and insecurity in the country yesterday during the Motion of Adjournment. So that we are relevant, I want to hear Members confine themselves to the

Report for the approval of this nominee and not about the insecurity in Somalia or any borders. You should have discussed that yesterday.

Proceed.

**Hon. Ekomwa:** Hon. Speaker, I concur with you. However, if you could have studied the mind-set behind the President appointing a Major to be the ambassador in Somalia, you would be convinced it is because of the issue of insecurity. That is why that man is being taken there. The biggest problem we are facing in Somalia is insecurity. We cannot take someone there to just be an ambassador. We are taking an ambassador there to improve the security situation in Somalia. That is why we are saying that when you are given this opportunity, you must go there and address the problems Kenyans are facing in that nation.

I am very optimistic because, as we take that ambassador to Somalia, our expectation as Kenyans is that he should improve the security situation in Somalia. At the same time, we want that to be replicated in South Sudan and Uganda. So, I concur with you. I support this Motion.

However, I come from a county which is full of insecurity. You have visited my county and seen all the leaders crying about insecurity. I am very passionate because I cannot keep on losing people in my constituency every time. Those people are protected by the same Constitution which is protecting people in Nairobi, Meru and Kajiado. So, I cannot be a Member of Parliament who approves appointments while my people in the constituency I represent are suffering and yet they are Kenyans.

So, as I support the appointment of Major General (Rtd.) Tumbo, I also expect that next time, and I think the President is listening, I will be very happy to hear that there is an appointment of an ambassador from Turkana County. They are also Kenyans. They are in a position to be ambassadors.

When it comes to the issue of appointment, I want to concur with my colleagues. It is very scientific and research has been done. Once someone has retired and is beyond 55 years, it is scientifically confirmed that the reasoning of that person is not stable. So, when the same Government confirms someone to have retired and the same Government appoints that person, it is surely a contradiction. We are saying this work is for the Government. When it has been scientifically proven that someone cannot perform, it should remain that way so that we give the digital generation---

**Hon. Ganya:** On a point of order, hon. Speaker.

**Hon. Speaker:** What is your point of order, hon. Chachu?

**Hon. Ganya:** Hon. Speaker, I stand on Standing Order No. 106 on relevance. What does the issue of suitability of this General have to do with his health record? When did my brother become a doctor to a level where he can stand on the Floor of the House and talk about the health conditions of an officer? Could he be relevant and stick to the issue?

**Hon. Ekomwa:** Hon. Speaker, I am very relevant. I want to show scientific research. What is the essence of specifying a retirement age? What is the essence of saying someone has retired at 55 years? There must be a scientific reason. The reason is that that person cannot perform. This is exactly what I mean. Once someone has been scientifically proven as not able to perform, we have to respect that. We are very

scientific here. We have to respect research. We have to respect whatever has been decided.

So, hon. Speaker, I support.

**Hon. Speaker:** Before I give the next Member who is going to be hon. Jared Opiyo, the Member for Awendo, I want to draw your attention to your own Standing Order No. 106. The sub-heading is “Irrelevance or repetition.” It reads as follows:-

“The Speaker or the Chairperson of Committees, after having called attention to the conduct of a Member who persists in irrelevance or tedious repetition either of the Member’s own arguments or the arguments used by other Members in debate, may, after having first warned him or her, direct that the Member discontinue his or her speech.”

So, as you now rise to contribute, please do not say that which has been said by others about age and insecurity because I will just discontinue you. Just go straight to the Motion. We are dealing with the nomination of Major General (Rtd.) Lucas K. Tumbo whom the Committee has recommended to this House to approve for appointment.

Hon. Jared Opiyo.

**Hon. Opiyo:** Thank you, hon. Speaker. I rise to support. I also thank you for your guidance. The importance of Somalia in the stability of this region cannot be gainsaid. The appointment of Major General (Rtd.) Tumbo to go and establish a Mission in Somalia is a welcome idea.

The job for the General is clearly cut out for him once this House approves his nomination. KDF is currently in Somalia to help them stabilise. I think having an ambassador in Somalia will be useful because, as a country, we shall be getting guidance on how to progress along that path.

In the past and on the Floor of this House, I have asked the reason why KDF has continued to be in Somalia given the kind of terror attacks that we have been having in the country. Some of the explanations given are that we are in Somalia as the KDF and, therefore, those are retaliatory attacks. The assignment of General Tumbo will be to advise the country on whether we should continue being in Somalia or not.

Having looked at the qualifications of the appointee, especially the different capacities that he has served in, I am convinced that he is very qualified to do this job. He has had several assignments around the region. This makes him understand the challenges that affect the region *vis-a-vis* the part that Kenya as a key nation in the region plays in the stability of this region. He worked in South Sudan and also did something for Ethiopia and Eritrea. He has served in several capacities in this region. Coupled with his academic qualifications in International Studies, as we have seen, I believe he has what it takes to give Kenya the best in that capacity as an Ambassador.

Currently, we have issues of refugees in this country. At one time, Kenya took extreme measures to deal with the refugee situation in the country. Once Somalia stabilises, especially after the establishment of the Kenyan Mission in Somalia, the influx of refugees in the country and the problems related to that will have been reduced reasonably.

Hon. Speaker, I am well aware of your guidance, but I am constrained to say here that Kenya is endowed with young, learned and talented workforce. I do not think it may be necessary in future to continue recycling retired Generals and other persons into positions of service.

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

*[The Temporary Deputy Speaker (Hon. Kajwang')  
took the Chair]*

Hon. Temporary Deputy Speaker, we are looking forward for a time when we shall have a 25 to 30 years old Kenyan representative in another country either as a high commissioner or an ambassador. We have a young population. Majority of our people are young. We want to have people in service who can be in sync very easily with the majority of the Kenyan population.

Also, going forward, all the ambassadorial appointments from Kenya should be done more or less at the same time. This will provide Parliament and, indeed, Kenyans with an opportunity to see how they reflect the face of the country. This is a constitutional provision and it is important that each and every time those appointments are done, we are given to see what happens. Also, it would have been exciting for the Committee to have given us a list of other candidates, so that we can look at what considerations may have been made to arrive at this particular person. As it stands, we know about one Major General (Rtd) Lucas K. Tumbo and no other person. So, we cannot have an option of comparing because we do not know the other people that he competed with.

As I conclude, since I joined this Parliament, I have never known how it tastes to approve a person from one's county or approve a person from one's constituency. I believe that the President is listening. I am looking forward to a day that we will have a nominee appointed from the great Awendo Constituency or the great Migori County. We have sons and daughters of those regions who are sufficiently qualified to hold public positions.

With that, I support.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Thank you. Members, you can see that the House is dwindling. When you see the House dwindling, it means that there is either lack of interest or lack of concentration or both. That can only tell you that it is time we stepped on to some other business. This business seems to have been prosecuted. You may have been waiting to contribute, Daktari, but all of us must not speak to every subject. When something has been said, you complement the other. We are talking about the person and not the terror situation in Somalia. We are sending him there so that he can deal with that situation.

So, we need to confine ourselves to what we have, so that we can dispense of other issues that we have. However, the Member for Mandera tells me that gender has not had its fair share. Because that is constitutional, I will recognise her.

**Hon. Bowen:** On a point of order, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Before then, Member for Marakwet, before I give you the microphone, let us agree that you are not going to give the Chair something that he does not know about. It is fair and good decorum that if you want to rise on something, do not bring up something that you think you should have approached the Chair on.

Member for Marakwet East, what do you have to say?

**Hon. Bowen:** Hon. Temporary Deputy Speaker, I just want to also support the---

**The Temporary Deputy Speaker** (Hon. Kajwang'): I am recognising you on a point of order. I have seen here that you want to rise on a point of order.

**Hon. Bowen:** On a point of order, hon. Temporary Deputy Speaker. I wanted to also support my good friend, hon. Opiyo from Awendo---

**The Temporary Deputy Speaker** (Hon. Kajwang'): You are shocking me. How do you support someone on a point of order?

**Hon. Bowen:** That is because he raised a very important point.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Can we go this way: Can you state the point of order under which you rise and then go to that order and explain yourself?

**Hon. Bowen:** I was just asking---

**The Temporary Deputy Speaker** (Hon. Kajwang'): Order, Member for Marakwet East!

**Hon. Bowen:** Hon. Temporary Deputy Speaker, we also want to see young people brought to this House to be approved for appointment. We have always been approving old men and women and yet, almost a half of this House is composed of the youth. We also want to see the face of Kenya in those appointments.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Marakwet East, well, I can see you are speaking to your constituents. That is all right. But next time, please, let us use the parliamentary time a little wisely, so that even those members of your constituency who are watching - and I am sure they must be watching KBC - would know that their Member knows how to raise points of order. They would see that he knows what a point of order is and what is not.

All right, Member for Mandera, for gender balance!

For gender balance, I will give this chance to the Member for Mandera County. You have said that you are going to be very relevant. Are you able to press the intervention button? I cannot see you on the intervention button. Can you do it again?

**Hon. (Ms.) Fathia:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity. I stand before the House to support this Motion.

I have looked at the Report on Major General Lucas Tumbo and I find him relevant for this job. His experience shows that he is well versed with this job. As per his CV, I can see he went for diploma and degree courses up to PhD level, all meant to upgrade his knowledge in conflict resolution and diplomacy. He will be an asset to Somalia.

I support this Motion because Somalia has suffered for the past 25 years. He is the right person, if he will put all his efforts there. I hope that he has not asked for this job, and that he will serve the people. Somalis have been known for being entrepreneurial. The nominee is known for industrialisation at some point in time. I think there will be some value addition. I am so much interested in this Motion because, we, from Mandera County, border Somalia. If peace is found there, it will be good for the people of Mandera and Kenya generally. I will not say much.

I beg to support the Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang’): You can never be wrong with gender balance. You see she has covered her subject within two minutes. She has really given us the substance. Let me try again with gender balance.

Member for Siaya, let us see how you will do it.

**Hon. (Ms.) Ombaka:** Thank you very much, hon. Temporary Deputy Speaker.

I support the Motion because the person we are talking about has a vast experience and is a person with a distinguished career path. He has been nominated for appointment to serve in a war-torn country. Considering his background, this is a place for him. He is retired and old. Ideally, he should be at home. However, the fact that he is retired does not mean that he is tired and, therefore, cannot be engaged in any Governmental task. I believe that he is going to play a critical role as a person who knows the job well. As a place that is infested with conflict, we need resolutions and dialogue. The two countries should work together as a team. He is the one who is vested with that responsibility.

Hon. Temporary Deputy Speaker, let me conclude by urging that, as Parliament, we need to take stock of the people we have vetted for the President to appoint. There is a lot of unfairness. We are not balancing the people we vet. The President is given one or two names. I recall that when we were vetting Commissioners in the Departmental Committee on Education, Research and Technology, we had a list of those who appeared for the interview. They were ranked according to their performance in the interview. It was so disheartening that in terms of gender, we had to balance and get somebody who was number 21 in the list, to be appointed. The person who was number 3 had to be sacrificed. The one who was listed as number 3 was a professor from Siaya, who should have been a Commissioner in the Teachers Service Commission (TSC).

I expected that, having lost such a chance because of gender balance, which is okay to me; the person who was dropped then would be considered in the next appointment. That is my feeling. We lose men when we consider gender balance. Some of them are highly educated and important and we should not lose them. The Siaya case is one of the cases that I lament about because that is where I come from. When people from that area lose appointment chances, then what am I representing here? I must fight for them. I believe that in the next appointment, the President should consider people from Siaya, whether they are women or men. This is the third time Siaya County has lost an appointment opportunity. In this case, there was no person from Siaya County. So, I cannot cry. However, in future, people from marginalised areas should be considered for appointment, especially those from counties where no high profile appointment has been made since President Uhuru took over the reign of this country. The President should do that in the next appointment.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Member for Ndhiwa, is something out of order?

**Hon. Oyugi:** Thank you, hon. Temporary Deputy Speaker. I rise under Standing Order No.95. Gauging the mood of the House, and considering the fact that we have sufficiently debated this Motion, would I be in order to move that the Mover be called upon to reply?

**The Temporary Deputy Speaker** (Hon. Kajwang’): The beauty with the National Assembly is that everybody has the right to say something. Even if it is unpalatable, just wait for your time to say something.

Hon. Members, this is where we are; that the Mover be called upon to reply.

*(Question, that the Mover be called upon to reply, put and negatived)*

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Members, persuading you has become a challenge. If you are persuaded, then you could only take five minutes to cover subjects. However, when each of you gets the Floor, you claim your right for ten minutes and at the end of the day you do not want other people to speak. You become very challenging in the way you transact business.

Member for Nakuru Town East, will you take ten minutes also?

**Hon. Gikaria:** Hon. Temporary Deputy Speaker, I thank you for giving me this opportunity. I will take two minutes.

Hon. Temporary Deputy Speaker, much has been said. All I want to talk about is the Report. The Report that we have been given by the Committee talks about the academic background of the nominee. It is also important for the Committee to, in future, indicate the duration of study in respect of each qualification. We had an opportunity to look at the credentials of one of the nominees the other day and we found that he cleared a Masters Degree course in two or three months. When the Committee prepares its Report, it is important that they specify the duration of study time and the year in which that person took the courses. That way, we will be able to interrogate the period they got their Masters or Bachelor degrees. It is important that in future we have that information from the Committees.

Secondly, I remember that Washington University was a subject of discussion in a certain Committee. It is also important for the Committees to indicate whether universities where nominees studied are accredited. I remember that Washington University is not accredited by the Commission for University Education. It is important for them to give us that information so that we can ask a few questions as we interrogate nominees.

There is a Bill coming regarding youth appointments and employment. That Bill is going to clear some of these issues. It is indicated somewhere that the Bill should be prioritised for debate. Just like we did with procurement Bill, the youth can also be given a certain percentage of employment and appointment opportunities. Once that Bill lands here, it might clear some of the issues regarding people who have already retired and the number of youths that we have.

Hon. Temporary Deputy Speaker, I just want to mention something regarding terrorism, and this is something that is important. When they were doing the vetting of the nominee, the nominee assured the Committee that he would strengthen ties between Kenya Government and Somalia Government to enforce all counter-terrorism measures. It is important for them to have indicated what he meant not just to tell us that he is going to improve on that without specifically mentioning some of the areas.

I remember at some point when we were discussing the issue of porous borders of Kenya and Somalia and how we should be treating the people we find within our borders without Kenyan citizenship, of course, there was a suggestion that we should repatriate them back across the border and leave them some 50 or 100 kilometers into Somalia without going through the process of law. The nominee ought to have indicated exactly what measure he is going to take.

Lastly is about the status of Somali refugees. We had agreed, although it was stopped by the courts, that we need to limit the number of refugees in the country. That will enable this country move forward, although we are obliged by international conventions that Kenya has signed, to check their number. That is where he also needs help. Of course, he has indicated how he will assist the so many refugees who are in this country. We have many Sudanese in my constituency who get out of hand and kill each other sometimes. We need to understand how one, as a refugee, is supposed to conduct themselves once they are in a particular country. The status of the refugees in the country is very important and we hope that the nominee will try and reduce the number of refugees in the country.

Last on the issue of porous borders, it is important for him to come up with advice to the Cabinet Secretary for Interior and Coordination of National Government. We have made it clear in the past that most of the policemen are always based in camps and they do not protect our borders. They fear attacks and also the fact that they are so few, if they go out the camps would be vulnerable. It was a very sad story to hear that they have reduced the number of stations along the Kenya/Somalia border. We need to re-emphasise that issue.

With those few remarks, hon. Temporary Deputy Speaker I support the Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Hon. Member for Endebess, do you also promise to keep it short?

**Hon. (Dr.) Pukose:** Thank you, hon. Temporary Deputy Speaker. Yes, I will keep it very short. Thank you for allowing me to contribute on this. First and foremost, I want to support the appointment of Major General (Rtd) Tumbo to be Kenya's ambassador to Somalia. Reading the Committee's Report, I find that this is a Kenyan with proven track record. This is somebody who has academic qualifications and has also served this nation distinctively in various capacities within the military at various places. Being a military man and considering the situation in Somalia where Kenya's interests are at stake, we think he will be able to represent us. My only message to him is that once we give you this job, we expect you to deliver because more often, when we give ambassadorial positions to many Kenyans they enjoy the comfort associated with that position and forget to represent the nation and deliver.

There are various areas in terms of cooperation, opportunities and the interest of our nation that need to be guarded. So, I expect that given this opportunity he will deliver and make a change considering that we have many of our soldiers, businessmen and Kenyans working in Somalia as doctors, businessmen and in other capacities. Some of these people have lost their lives in the hands of *Al Shabaab* or the militants who are in Somalia. We expect that he will be able to take the interests of these people and not operate from Nairobi. We expect him to have an office in Mogadishu where these Kenyans' interests are.

With those few remarks I want to support. Thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Yes. That was exceptional.

*(Hon. Okoth stood in his place)*

Hon. Member for Kibra, are you sure you have not contributed to this Motion?

**Hon. Okoth:** I am waiting to contribute to the Protection Against Domestic Violence Bill. I had contributed on this.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Thank you. Order, hon. Member for Nyaribari Chache, I have a way of knowing who has contributed and who has not.

**Hon. Tong’i:** Thank you very much, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Kajwang’): We have an unspoken code here, let us be doing five minutes or less each so that you can think of your neighbours. Proceed.

**Hon. M.D. Duale:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Report. I want to state that I do support the nomination of Major General (Rtd) Lukas Tumbo for the position of ambassador to Somalia.

Much has been said about this topic today but I wanted to say something about refugees because I represent Dadaab Constituency which hosts thousands of refugees of Somali origin.

**The Temporary Deputy Speaker** (Hon. Kajwang’): I appreciate what you want to say but connect it to the appointment of this ambassador.

**Hon. M.D. Duale:** Yes, hon. Temporary Deputy Speaker I will do so. We have about 400,000 refugees in Dadaab Constituency who are mainly from Somalia. In the year 2014, we had the tripartite agreement between Kenya, Somalia and the United Nations (UN) on repatriation of Somali refugees to Somalia. However, this agreement has not moved because almost all the refugees are still there and I believe that the office of the ambassador can do a lot to ensure the implementation of the tripartite agreement.

I say this because the current office of the ambassador to Somalia, as has been said, is at NSSF building here in Nairobi. For the ambassador to be fully functioning and operational, we want him to be based in Mogadishu where he can engage with the Government of Somalia and development partners in Somalia because the issue of refugees requires the Government of Kenya to be proactive. I say this because the refugees who are in Dadaab are basically stable because they have been there for the last 20 or more years and they have children in school. For example, we have 150,000 school going children.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Now, I am really agonising on how relevant your discussion is.

**Hon. M. D. Duale:** I will come to the point, hon. Temporary Deputy Speaker, sorry. For us to ensure that refugees go back to Somalia, the office of the ambassador to Somalia is one of the entry points to help us. We need the Government of Somalia to realise that there is need for them to move. When we are based here in Nairobi we will not be able to engage with the Government of Somalia meaningfully. We have been

feeling that there is a bit of laxity on the part of the Government of Somalia to take back the refugees. The refugees have been a huge burden to us as a country and we need to help the Government of Somalia to lobby a platform of resources for them through our ambassador.

With those many remarks, I support the Motion. Thank you very much.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Member for Garissa, you have been out of Chamber for some time. You are back, I am sure the constituents of Garissa would want to know that you are in town. We are now used to keeping time. So, three minutes or less.

**Hon. (Ms.) Gure:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity. I rise to support the Motion. The nominee who has been brought by the Departmental Committee on Defence and Foreign Relations has vast experience and good academic qualifications. He is a good fit and match for this position. I want the nominee to focus on national security. Insecurity and terrorism in Kenya is mostly from Somalia. We want an ambassador who has strength and can deal with all those issues and stresses coming from that part of Somalia. Since we have committed ourselves and placed an ambassador in Somalia, we want that ambassador to be somebody who can negotiate between Somalia and Kenya and tie a relationship between Kenya and Somalia to eradicate terrorism.

We want the office of the ambassador to be a patron on this issue of insecurity from Somalia. We have economic ties with Somalia. We trade; they come to our country to buy goods and we also get goods from there. We want the ambassador to be a patron on those issues. We do not want to have a problem when he goes to that office. We have cultural ties. Those people in Somalia are Somalis; we speak the same language and we have the same religion. We want the ambassador to work with us, leaders from this country who speak the same language with those people.

My last point is, as Kenyans, we host the largest number of refugees in Kenya. In Dadaab Constituency where *Mheshimiwa* M.D. Duale and I represent, we have large numbers of refugees. We hope the ambassador will be somebody who understands. We have the largest refugee camps in the country, in Dadaab. We are asking him to visit Dadaab and see where the refugee camps are and see how those people live. He should negotiate with the Government of Somalia to come to Dadaab and take their people back because we want security and peace in this country.

Speaking as somebody who represents Garissa County, we have suffered a lot and we do not want to suffer more. We want the ambassador to speak to people in Somalia, the Minister for Foreign Affairs there to get their people back and have a stable place for them. It should not be a place that is worse than where we have right now. I am sure they live comfortably in Dadaab but we want them to build schools, hospitals and all the basic facilities they need and take their people back.

I rise to support the Motion.

Thank you.

(Applause)

**The Temporary Deputy Speaker** (Hon. Kajwang'): Hon. Member for North Horr. You are a seasoned Member so you know you will keep that promise although it is unwritten.

**Hon. Ganya:** Thank you, hon. Temporary Deputy Speaker, for this opportunity. From the outset, I support the appointment of Major General (Rtd) Tumbo as our ambassador to Somalia. I also want to commend the Committee. The information from our Departmental Committee for Defence and Foreign Relations is unanimous. They all agreed as a Committee. It is a tradition of this House that once the Departmental Committee agrees in totality, then the House is duty bound to support the work of the Committee. For that reason, I want to commend them for the good job.

The voting duty we have is a constitutional duty. When we vet nominees, we vet for suitability, integrity, experience as well as academic qualifications. When you look at the Committee's Report, for sure, the nominee fits the Bill extremely well. He has over 26 years of experience. He is well educated and for that reason I do not see any reason as to why we should not recommend and support his appointment.

Any nation on earth has strategic interest. We have a strategic interest in Somalia. That is why the Kenya Defence Forces (KDF) are in Somalia. We share a long border with them and because of that, it is critical that as a seasoned professional, he is sent to safeguard our interests in Somalia.

As I conclude, I want to disagree with my colleagues here. We put so much emphasis on youth as if experience and age do not matter. Not all the jobs out there are for the youth, some are for grey-haired men and women. We need generals, people who are well trained and well educated with vast experience to safeguard some of our interests. As we embrace the youth to come on board, we should also appreciate that there is room and space for old men with experience like Major General (Rtd) Tumbo to serve our nation.

With those few remarks, I support.

**Hon. Ogalo:** Thank you, hon. Temporary Deputy Speaker. My colleagues have highlighted the qualifications of Major General (Rtd) Tumbo and I will not pretend that I have gone to school with him like others. I will not pretend I have worked with him like one of our colleagues. I have not met him. My able colleagues in the Departmental Committee for Defence and Foreign Relations have interviewed him and have recommended to us that we approve. So, I approve and I support the Motion.

I only want to give what I would call the terms of reference from the people of Rangwe to the new ambassador of Somalia after this House approves him. Somalia has become a source of contraband goods and illegal immigrants into this country. We expect the new ambassador who is a general to stay in Somalia in Mogadishu because we have generals fighting there. He can as well be with them there and not sit here in Nairobi. We expect him to go to Mogadishu and negotiate with the Government of Somalia to tighten immigration and customs to ensure that no people come into Kenya illegally and no contraband goods get into Kenya. Contraband sugar is a serious threat to local sugar production.

Hon. Temporary Deputy Speaker---(*Technical hitch*) This is a retired general of the army. We expect him to coordinate intelligence to end terrorism that emanates from Somalia. We expect that Somalia is going to be a very important export market for

entrepreneurs in Kenya. We expect the new ambassador, Major General (Rtd) Tumbo to ensure that Somalia as a market negotiates with the Government to ensure a stable market for Kenyans to do business. Within six months - I want to say this categorically - we expect the new ambassador to recommend to the national security committee and defence council measures to, first and foremost, close the border between Kenya and Somalia. We expect zero illegal entry of aliens from Somalia to Kenya. If we cannot do it with conventional means, we expect the new ambassador to recommend that we man the entire border with an electric fence and a 300 metres mine zone from Kiunga to Mandera. I expect Major General (Rtd) Tumbo to recommend that we remove all Somali refugees from Kenya and create IDP camps in Somalia to be guarded by the KDF in Somalia.

We should not continue hosting refugees in Kenya while we have a presence in Somalia.

I also expect that the Major-General will evaluate the situation of our Defence Forces in Somalia and recommend very strongly that we cease to be under (AMISOM) in Somalia and maintain our independent command which enabled us to achieve much more than what we achieved since we joined AMISOM. I can see the Chairman of the Departmental Committee on Defence and Foreign Relations nodding that I am correct in this.

I support.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Bomachoge Borabu. We are doing well only if you can keep it short so that your colleagues can also have a bite on the cherry.

**Hon. Omagwa:** Thank you, hon. Temporary Deputy Speaker for that guidance. In fact, I will use two minutes. I am a Member of this Committee that met Major-General Tumbo. We took him through the interview and he supplied answers that satisfied the Committee.

Three-quarters of Kenya's security problems today emanate from Somalia. We need a person in the training of Major-General Tumbo, who is very highly qualified, satisfied, dedicated and decorated both in military and in diplomatic terms. He will help sort out a few things with Somalia. He appeared to us as an officer who is brave because on his own volition he indicated that he wants to do discourse with the Government of Somalia in Mogadishu and not from Nairobi. So, his first assignment is to work with the Government of Kenya to move the Embassy from the National Social Security Fund (NSSF) building here in Nairobi to Mogadishu. We are satisfied that that is the right way to go. Remember London has an Embassy in Mogadishu; it has bypassed Kenya which has invested a lot in terms of security in Somalia. It is unfortunate that we do not have our embassy in Mogadishu.

He is a good officer and he will start the right way. He has got a lot of good training in conflict resolution having worked in areas that require that kind of experience. Somalia has already taken Kenya to the International Criminal Court (ICC). We expect him to use his experience in conflict resolution to give us the benefits. He should guard Kenya's strategic interests.

Hon. Temporary Deputy Speaker, having listened to my colleagues speak about age; one of us said that if you are over 50 years then your mind is not working well. I do not think so. There is something called experience. As we consider rewarding our youths for jobs, let us also jealously guard certain jobs for people like me and those who are

older than me. I do not think that because I am over 50 years of age my mind is wasted and that I am not intelligent enough to do a good job.

I support.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Budalangi.

**Hon. Ababu:** Thank you, hon. Temporary Deputy Speaker. Let me join my colleagues in supporting the Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang'): I see that there is a Member next to you who is not in agreement with that. But the interesting thing is that I am not able to see you on the console.

**Hon. Member:** I do not have a card.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Wajir, if you are wondering why Member for Budalangi has the microphone, there is something called ranking Member. You get it by experience and by being in this House longer.

**Hon. Ababu:** Thank you, hon. Temporary Deputy Speaker for acknowledging that. That is, indeed, a tradition across the Commonwealth and all Parliaments in the world. Let me join my colleagues in this House in supporting the Motion for this House to approve the nomination of Major General (Rtd) Lucas Tumbo as our ambassador to the Federal Republic of Somalia. I want to say two things.

One, that this should open the avenue not only of appointing an envoy to this important neighbour, but to establish full diplomatic presence in Somalia. It is, indeed, my hope and prayer that after Major General (Rtd) is appointed, he will lead the way in establishing the entire retinue of diplomatic infrastructure so that we can have the capacity to deal and handle the Somali question right from within the boundaries of Somalia. I say this because a lot of the issues that have proved tricky for Kenya to handle the Somali question is because of the absence of a structured way of engagement. We have had a scenario where the entire Government of Somalia has previously been hosted here in Kenya making it impossible to deal with scenario in Somalia on sight. So, my challenge is to the Government that as soon as this Kenyan is confirmed, let us follow on that and give him all the capacity that he requires to run a fully-fledged diplomatic mission, including the necessary attaches, especially the military attaché that will play the critical role of providing a focal point of dealing with the Somali question. The military intervention has been necessary.

There is also the humanitarian angle. I agree that a lot of the humanitarian issues that are transported across the border from Somalia to Kenya are absolutely unnecessary and these are issues that could be dealt with very effectively if we had a fully-fledged presence. Whatever assistance or support we wish to give as a nation could be extended to our brothers and sisters in Somalia within Somalia itself.

Hon. Temporary Deputy Speaker, the second issue has to do with this age thing. I do not want to call it misguided because you may rule me out of order for using that word. I do not know whether that word is parliamentary or not. However, there is a skewed view--- Let me make it very clear that I support the empowerment of our young people. I believe in giving opportunities to young people. However, there is a reason why there is no society on earth that is made up purely of young people. There is a reason why any society on the face of the earth is a cocktail of children, the youth and elderly people. The best set up anywhere in management is one that blends the exuberance and energy of

young people and the experience and calming effect that can only come with age and experience. Therefore, just the same way young people do not wish to be discriminated against in terms of opportunities, so should we not discriminate against persons of a particular age. History is full of people who have made a marked contribution to the welfare and to the development of their countries notwithstanding their age. The first President of this country became President at a very advanced age, but he was still able to set and establish the foundation for the nation we call Kenya today. Nelson Mandela, down south, walked off from the Robben Island at a very advanced age. He went on to become the President and set the foundation of the nation of South Africa that everybody is so proud of today. Winston Churchill became the Prime Minister of Britain and led it to victory in the Second World War at a fairly advanced age. I could go on and on. Our immediate former President, Mwai Kibaki, became President also at a fairly advanced age. However, we can see the effect of his mind, policies and economic thinking on where the country is now in terms of our economic development.

Let us end this obsession that certain jobs are a preserve of certain age groups. Let us look at competence, capacity and what a particular individual can bring to the table when we are giving responsibility or jobs to anybody.

I support this Report.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Hon. Member for Kieni. You know that we have an understanding that we are taking as little time as possible; five minutes or less.

**Hon. Kanini Kega:** Thank you, hon. Temporary Deputy Speaker. From the outset, I rise to support this Motion. When I look at the resume of Major General (Rtd) Tumbo, it speaks for itself.

He has a lot of experience in the military and diplomatic fields. As he comes to this position, because I believe we are going to approve his name, he has a full in-tray. Somalia has been our neighbour and will still remain our neighbour. The sooner they realise Kenya and Somalia will remain neighbours, the better. In future, when we engage constructively with them, this will form a very serious economic block within this region.

In the past, we had ambassadors in Somalia, but in most cases, you see them in Nairobi. I am happy that when I read through, Major General (Rtd) Tumbo said that he will be based fulltime in Somalia. That is a very positive thing. In the past, most of the ambassadors who were based there, most of the time they were in Nairobi.

Whenever people are appointed ambassadors in Africa, they feel as if that is a lesser appointment. Whenever they are appointed to serve in other countries like the USA or the UK, they feel that that is a bigger appointment. I am happy he said that he is very contented with this appointment. Also, we should know that if we are going to grow Kenya, we have to start with Africa. I have no doubt that with his appointment, this country will be a better place to live in.

We know for sure that we have quite a number of refugees from Somalia. I am hoping that this is a case that will be seriously addressed. We have major issues that are associated with the influx of refugees. I know for sure that with his engagement and expertise, that will be reduced.

With those many remarks, I support.

**The Temporary Deputy Speaker** (Hon. Kajwang’): Member for Wajir. I want to just remind you that Members have agreed in terms of civility, to take five minutes or less.

**Hon. (Ms.) F. I. Ali:** Thank you, hon. Temporary Deputy Speaker. I want to even spend less than five minutes. First and foremost, I want to thank you. I support the Report on the nomination of Major General (Rtd) Lucas K. Tumbo to be the ambassador to the Federal Republic of Somalia. I come from Wajir which borders Somalia on a long stretch. A lot of traders from Somalia and some living in Wajir engage in business in Somalia and Kenya.

When the Chairman of the Defence and Foreign Relations Committee presented the Report, I was really impressed by the credentials of the appointee. It was a well thought-out nomination. Somalia is a very unstable country. It has been at war for the last 22 years. The choice of a Kenyan with military experience and very senior in the military set-up is the most appropriate. This was a well thought-out appointment.

I want to share with this House that we met one time with Parliamentarians from Somalia and they said that Kenya is their mother country. They said that Kenya has been supporting Somalia to form a stable government and to be a stable country, but they were shocked and disturbed as to why Kenya was not deploying an ambassador to be stationed in Mogadishu, the Capital City of Somalia. From the Report, the Chairman of the Defence and Foreign Relations Committee has alluded that this appointee, when approved, and I am confident that he will be approved, will be stationed in Mogadishu, Somalia, to engage constructively on the interests of Kenya and Somalia. I have no doubt that after we appoint him, he will be in Somalia as early as yesterday.

The Members of Parliament were also worried that Somalia is fighting and chasing away the *Al Shabaab* and they are coming to Kenya. They are looking for ways to collaborate with the Kenyan Government, so that the *Al Shabaab* becomes an element of the past. We should not harbour them in Somalia because of lack of strategic intervention. I want to confirm that Somalia will greatly appreciate. They had shared their frustration for lack of representation in Mogadishu. The appointment of Major General (Rtd) Lucas Tumbo is timely and appropriate. They will appreciate the caliber of the appointee that we are deploying to Somalia as a strategic partner in this region. They have a lot of trust and confidence in the Government of Kenya and they are willing to support further.

I want to assure Major General (Rtd) Tumbo that he will enjoy Somalia. It is very peaceful sometimes. He will enjoy the weather and will make friends there. He needs to build relationships with the border towns of Kenya and the counties that border Somalia. You have seen what happened in Mandera. We need a very strategic intervention so that our ambassador can build permanent solutions to restore security in our borders.

I support this nominee.

**Hon. Tong’i:** Thank you, hon. Temporary Deputy Speaker for the opportunity to support the nominee to Somalia. From the Report, we have seen that the nominee is a very competent person, if the papers that we have seen are anything to go by. Therefore, I support.

However, if you look at his age, I have a little concern because with the kind of experience that he has, he needs somebody to understudy him to understand what he will

be doing and how he will be doing it differently, so that when the time comes for him to vacate that position, we will have somebody competent enough to take over from him. I would urge the leadership of this country that when they appoint deputy ambassador to Somalia, they should consider age. We need somebody who will study him and understand how he will mitigate the challenges of Somalia.

Peace in Somalia is peace in Kenya. The challenges that Kenya is facing today are partly because of the instability in Somalia. So, it is in our interest, as a country, to ensure that we have a very strong person there who will ensure that there is peace in Somalia. That way, we will also enjoy peace in Kenya.

Having said that, there are very fundamental things that need to be done in Somalia. One such thing that I would encourage the new ambassador to support Somalia in is education. Education has a way of equalising people. When you have education, your thinking is different. Part of the ways of managing the *Al Shabaab* issue is to ensure that the youths in Somalia go to school and get quality education. With that, you get some pride and you will not be misused by the warlords, for lack of a better word, to cause chaos because you know that you are going to hurt people. Education should also be emphasised as a way of resolving the conflict in Somalia because it has a way of helping people to understand things from a different perspective.

It is important that we have somebody who appreciates and supports that strategy. Again, it is important for the nominee of the ambassadorial post to Somalia to not just give us good stories; that he is willing to move to Somalia, and that he will be stationed there. That alone will not help. He can be stationed in Somalia and sleep in a hotel the whole day without doing anything. My good friend, the Chairman of the Committee, who is sitting in front of me, being a good manager, knows that that which cannot be measured cannot be rewarded. You cannot pin him down and demand that he explains what it is that he has achieved in a given period of time. We are proposing that the Committee uses its influence and gets the new ambassador to commit himself to a timeframe within which he plans to have his strategy in place, so that we can measure his achievement using that strategy. Otherwise, if we are not going to put standards, he will be based in Nairobi and go to Somalia for one week just because he wants to appease his appointing authority. After a little while, he will come back to Nairobi and operate like all other ambassadors who have been there in the past, who were operating from Nairobi. It was actually one of the easiest jobs to do, because you operate from your personal house. You are paid an allowance as an ambassador yet there is nothing you are doing other than meeting a few businessmen in Nairobi who claim to come from Somalia yet we know that they are involved in so many other issues which we may not want to disclose at this point in time.

Therefore, that should not be the way to go because that arrangement failed in the past. We need somebody who is going to be stationed in Somalia permanently – somebody who has passion for the country, and not somebody who is looking for an opportunity to work. In the past, we have seen people who were appointed simply because they wanted to earn a living.

As I conclude, allow me to also bring to your attention the fact that appointments of ambassadors do not seem to have the face of Kenya. We have several ambassadors from my village who are very young. An example is Kenya's Ambassador to Germany,

who was recalled and who has not been given any station to serve Kenya from. It is unfair for him to be recalled without being given an option. When he was coming, he came on the promise that he was going to be given a new station. That station has taken almost five months. Can we have people being appointed to these Government offices, who represent the face of Kenya? It is the only way of ensuring that peace prevails in this country because people will not feel marginalized. Sometimes people feel that they do not have because other people have. We can manage and mitigate those issues by having people being appointed to Government offices representing the face of Kenya. I encourage that the next appointment should come from Kisii, particularly Nyaribari Chache, where I come from; so that we can get a Deputy Ambassador to Somalia to learn from the General.

With those remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Yes, hon. Nderitu.

**Hon. Nderitu:** Thank you, hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this very important Motion on the vetting of Major General (Rtd) Lucas Tumbo.

I will start from where my friend, hon. Tong'i stopped. We have never vetted anybody from Ndaragwa Constituency in this House. So, as we talk of marginalisation, sometimes people look at race and tribe. If you look at geographical location and the people we represent, a lot needs to be done so that we can capture the face of Kenya. The CV of Major General (Rtd) Tumbo is very impressive but one thing is missing – whether the certificates have been authenticated by the Commission for University Education. As my other colleagues said, on the issue of these young universities, we are getting degrees on CVs that were received within half a year for people who are over 65 years old. This is an issue which should be looked into as we give out these jobs. Generally, as most of the speakers have said, the issue of trade between Kenya and Somalia is very important.

We know very well that even if people are employed by the Government, the backbone of our people lies in businesses. I have dealt with people in many occasions who are very serious business investors in Somalia. At times they are even unable to deal with the issues that befall them. I know of somebody who had a very big contract of fumigation of insects in Somalia. However, the issue of insecurity and the people he was going to deal with in terms of diplomatic relations there was a major problem. Therefore, having someone who has confirmed that he is willing to go physical and reside in Mogadishu will be a very good start. I am very sure our businessmen, who have shown interest in the past, are happy. I know of many people from my location who have travelled as far as Mandera and they are just waiting for this good opportunity to open whereby these two countries can trade seriously. We need to go deeper into Somalia and do business there.

One of the areas that most people have talked about is that of the experience from the military *vis-a-vis* the qualification of the Major General. I am sure that although we have had another General in that position, I would like to see the difference between the General that we had in the past and this particular one. I would like to compare their capabilities. This is because their qualifications are the same. We would like to see whether the qualifications of this Major General will match what is in the papers. Most times when nominees get these jobs, they go back to slumber and forget the promises

they made to the country. We would like to remind Major General (Rtd) Tumbo that when he takes up the job, we will look at the issue of time frame and measurable achievements. He should deliver what Kenyans expect of him.

With those few remarks, I support.

**Hon. (Ms.) B.N. Nyaga:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to support the appointment of Major General (Rtd) Tumbo. I am a member of this Committee and I want to inform my colleague, hon. Member for Ndaragwa that we checked the certificates and everything is well.

Major General (Rtd) Tumbo is well qualified. He has a lot of experience. When we listened to him we made up our mind that he is the right candidate for this position. He has what is required to be a diplomatic representative of this country. He was quick to say that he is very much aware of the relationship between Kenya and Somalia and that it is something he is going to check so that we redeem our relationship with our neighbour, Somalia.

I support because I know the candidate.

**Hon. Ngunjiri:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity. Ningependa kuchukua nafasi hii ili niungane na wenzangu kuunga mkono hii Hoja. Uchunguzi kuhusu aliyeteuliwa umefanywa vilivyo na kamati husika. Jina lake limepitishwa na kamati ambayo imeona kwamba yeye anafaa. Sitaki kurudia yale ambayo yamesemwa na wenzangu. Ni muhimu tuwe na balozi katika nchi ya Somalia ili tuweze kufanya kazi ambayo iko mbele yetu na tusaide wananchi wetu. Itakuwa bora ikiwa Wakenya watafanya kazi pamoja na wananchi wa Somalia.

Naunga mkono.

**Hon. (Ms.) Mbugua:** Thank you very much, hon. Speaker, for giving me this chance to air my views. I rise to support the appointment of Major General (Rtd) Tumbo. We need somebody who is committed. This person is committed. We need somebody who is experienced. We say that: "Experience is the best teacher." He is experienced. We need somebody with a good standing because once he is there, he is going to show a good picture of our country. He will also leave a good legacy in that country. He is also qualified. I want to hit the nail on the head and say that he is qualified. Although the Major is retired, he is not tired. Therefore, I support the appointment. I believe, like my other colleagues, that once he goes there he is going to do a good job.

I support.

**The Temporary Deputy Speaker (Hon. Kajwang’):** Thank you. Member for Bureti.

**Hon. Sang:** Thank you, hon. Speaker, for giving this opportunity to ventilate on this Report. From the outset, I thank the Committee. I have seen the resume of Major General (Rtd) Lucas Tumbo and I have realised that he is very qualified. I also saw in that Report that we have a good number of challenges in Somalia including the Kenya Defence Forces (KDF) that we have there, militarisation of the public service, illegal trade, terrorism, reconstruction of Somalia, capacity building of the Somali people and dispute resolution among others. When I look at the observations that the Committee made, it is fit to say this man is very qualified. It is my hope that when he gets the necessary letters from the President, he will go to Somalia as it has been said to settle there and try as much as possible to have the relationship between Kenya and Somalia

enhanced so that we can at least improve the living standards of the Somali people. I wish Lucas a good stay in Somalia and success in bringing our two countries together.

Thank you, hon. Speaker.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Makueni.

**Hon. Maanzo:** Thank you, hon. Speaker, for giving me an opportunity to talk on this very important---

*(Hon. Koyi raised his hand)*

**The Temporary Deputy Speaker** (Hon. Kajwang'): This Member, you are carrying up your hand and I am not able to see you from my console. So, how do I assist you?

*(Hon. Koyi spoke off the record)*

Well. If you lost your card, that is another matter altogether.

All right, Member for Makueni.

**Hon. Maanzo:** Thank you, hon. Speaker. I want to support the appointment of Major General (Rtd) Lucas Tumbo to be the ambassador to Somalia. For a long time, Kenya has been having ambassadors to Somalia who are resident in Nairobi. The real issues have not been handled during that time. This time round the ambassador is being sent to be a resident in Somalia. It will help Kenya in resolving a lot of issues between the two countries.

Somalia is a very rich economy. Remember that it has a very long coastline where fishing takes place among many other commercial activities. Diplomacy has now become a commercial facilitator. It involves business and international trade. Countries are doing business together. There is a lot of trade between the border of Kenya and Somalia. It is only fair that we have an ambassador and a system operating in Somalia which will make Somalia a better state. Kenya has been there for a long time trying to assist Somalia to stabilise.

This is a good move because the stability of Somalia has a lot to do with the stability of Kenya and the reduction of terrorism instances, some of which we have seen here. Part of the reason for the terrorist activities is because for a long time the young people in Somalia have not been schooled or given a better activity to do other than fighting, training and getting into terrorist groups. So, it would be a very good idea to have an ambassador who has a background in military. He has a background in military intelligence and he could assist Kenya to support Somalia in fighting terrorism among other crimes of that nature which are being committed in Somalia and by suspected Somalis in Kenya.

There is also the issue of ships being attacked by terrorists. Other countries that neighbour Somalia in the sea have been affected by the people who terrorise shipping lines. This has been dealt with and countries have been coming together to solve the problem in Somalia.

We look forward to having a successful Somalia State and republic with a Government which can trade with us and help us solve the problems between our two

countries. This should reduce deaths which are unnecessarily caused. The issue of refugees who have fled warfare in their country will also be solved. As a country, we will not have wasted our investment in Somalia by opening an embassy there.

In terms of appointments in the Ministry of Foreign Affairs, these appointments tend to come from outside although Somalia is a very special case which needs Major General (Rtd) Tumbo. We have seen a trend where the people who have worked very hard in the Ministry of Foreign Affairs for many years are not appointed as ambassadors. In the future, the President needs to look at that as he appoints these people. I am sure the Chairman, hon. Gethenji is listening.

I support. Thank you for giving me this opportunity.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Thank you. Hon. Member, did you say that you do not have your card?

**Hon. Koyi:** Hon. Temporary Deputy Speaker, I lost my card, but thank you very much for giving me this chance.

**The Temporary Deputy Speaker** (Hon. Kajwang'): When did you lose your card?

**Hon. Koyi:** I do not where. I misplaced it.

**The Temporary Deputy Speaker** (Hon. Kajwang'): If you read your Standing Orders, your card is almost your identity in this Assembly. So, do not take it as a simple issue. Please, make amendments, so that next time you are able to speak in the National Assembly. You have two minutes or so.

**Hon. Koyi:** Thank you, hon. Temporary Deputy Speaker. There have been many conflicts in Somalia. This has caused this country a lot of suffering in terms of losing our people, military equipment and military officers in Somalia. With regard to refugees, we have been generous for so many years and have kept refugees in this country. Sometimes, these refugees abuse the generosity of this country. Time has come for the UN to organise some place, either in Somalia or in another country, where they can move these refugees to.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Hon. Member, you realise that we are talking about the suitability of the appointment and not the question of Somalia and refugees.

**Hon. Koyi:** Hon. Temporary Deputy Speaker, I am coming to the issue of gaining stability in Somalia.

**The Temporary Deputy Speaker** (Hon. Kajwang'): I am sure you are looking at the clock. So, you are helping me manage the House.

**Hon. Koyi:** Yes, hon. Temporary Deputy Speaker. To end the conflict in Somalia, the President has done a good job in appointing Major General (Rtd) Tumbo. I am sure he is going to execute his mandate properly.

Wherever military people have been appointed, they have always done their job properly. I am sure General Tumbo is going to execute his work properly.

Many of the refugees in this country are from Somalia. The Somalis like this country and they like coming here. I would advise Kenya to colonise Somalia so that it can become part of Kenya. That will end the problem and there will be no conflict because Somalis like coming into this country.

I support this Report. I commend the Committee for recommending Major General (Rtd) Tumbo to be appointed Ambassador to Somalia.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Kwanza, you came in late. We have an unwritten code here to speak for two or three minutes.

**Hon. F. K. Wanyonyi:** I am most obliged, hon. Temporary Deputy Speaker.

I support the appointment of Major General (Rtd) Tumbo as an ambassador. However, I have a few remarks to make. First, I wonder whether the Major General was the right person, although I support him. We needed somebody with diplomatic experience, which of course, he has. My question is whether we needed a Major General or somebody from a different background.

Secondly, Kenyans have done very well by having Somalia accepting our diplomatic relations, as it has done with the USA and other countries. Going back to the background of the Somalis, the question is whether they are going to be faithful in accepting our ambassador. The character of the Somalis is that they do not like Christians. I expected that the President would nominate one of their own to be our diplomatic representative in Somalia. Christians have faced a lot of problems. Remember, in Mandera, when they killed our people. Some of them were saying that we are ungodly. I wonder whether it was wise of us to appoint a Christian instead of a Muslim. There is an English saying which goes, "Send a thief to catch a thief". It would have been better for us to send a Muslim to that area. However, I agree with the choice because of the military background that the nominee has.

Lastly, I believe that this relationship will strengthen the desire of the people of Somalia to join the East African Community. This is one way of us working with our neighbours. We should convince the Somalis to join the East African Community and work with us so that the conflict between us can actually end.

With those remarks, I beg to support the Motion.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Member for Limuru!

**Hon. J. K. Chege:** Thank you, hon. Temporary Deputy Speaker.

I take this opportunity to support my colleagues who have spoken on this matter. I have looked at the papers of Major General (Rtd) Lucas Tumbo. He has the qualifications. His appointment is coming at the right time. We know that Somalia and Kenya are two neighbours who are not likely to part. The sooner we get our diplomatic act together, the better for the two countries.

I would have wished that we go for a career diplomat, but looking at the problems that are between us and Somalia, a person of military background will be a good person to sort out our diplomatic duties. As we support the nomination, I also hope that we are going to give the nominee staff to support him. In most cases, when you go to foreign offices, you find very lean staff establishments that cannot perform duties effectively. It is my recommendation that when we establish the embassy, we give that office importance because Somalia will always be an important country to us.

Hon. Temporary Deputy Speaker, as you know, the Kenya Defence Forces are there. We are doing business with Somalia and we would like that country to be peaceful. For that matter, we need to support that office. As I finish, I want to say that he is a good nominee. I have looked at his training. He has done a lot of things in training the armed forces.

I hope that he will help to assess the capacity of our staff who are providing security in Somalia when he is there.

I support the nomination, thank you.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Thank you. Hon. Member for Bureti, you have contributed to this Motion, have you not? Where is he?

**Hon. Member:** Member of Parliament for Bureti Constituency is here, hon. Temporary Deputy Speaker. I forgot my card.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Are you saying that you are the hon. Member for Bureti?

**Hon. Member:** I am not.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Can the hon. Member for Bureti rise and address the Chair. Have you spoken to this Motion?

**Hon. Sang:** I have spoken. I was just donating my card to my friend.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Do not do things which are not in the Standing Orders. This is a House of rules. If someone does not have a card, you administratively solve it out there at the reception. The best thing to do is to approach the Speaker's Chair instead of starting to loan cards to each other. It is not a very neat way of doing it.

**Hon. Sang:** I apologise.

**The Temporary Deputy Speaker** (Hon. Kajwang'): All right. There being no hon. Member requesting to speak, I order that the Mover be called upon to reply.

**Hon. Gethenji:** Thank you, hon. Temporary Deputy Speaker. I wish to thank all the hon. Members who have spoken on this Motion this afternoon. I also note that the entire House has concurred with the Departmental Committee on Defence and Foreign Relations. We as a Committee gave a unanimous Report recommending the appointment of this nominee. I also note that the House has also endorsed the recommendations of the Committee unanimously. This is a testament to the good work that the members of the Departmental Committee on Defence and Foreign Relations put into this exercise of vetting and writing of the Report. So, I commend the Members and the House.

Hon. Temporary Deputy Speaker, I also individually thank all the hon. Members who have spoken including the hon. Leader of the Minority Party who gave a very good contribution specifically remarking and noting that the nominee was formerly the Managing Director of the Kenya Ordnance Factory which is the Eldoret bullet factory. As such, he has experience in industry and has a good commercial mind and the mind of a manager which are some of the attributes that we would wish to have in our ambassador to Somalia. He needs to be aware of industries and their role and the markets available in that country for our industrialists and the Kenyan industries to participate in and take advantage of.

Hon. Temporary Deputy Speaker, hon. Dennitah Ghati who is a member of our Committee had talked about the nominee and I thank her for her comments. She requested to see a member of the Kuria Community appointed next time as several other members remarked. I too would like to see a member of my community from my Tetu Constituency being appointed as an ambassador but, unfortunately, there are fewer postings than there are communities and constituencies in this country. We will have to make do with the balancing act of the appointing authority and also of this House.

Hon. Ngeno spoke about the candidates who have studied diplomacy and this is an important point, without going back into the qualifications of the candidate. The qualifications and experience of this candidate cannot be gainsaid because military training and service is the flip side of the coin of diplomacy. So, diplomacy and military are two sides of the same coin. Hon. Ken Okoth talked about changing the military strategy.

**The Temporary Deputy Speaker** (Hon. Kajwang'): Hon. Chairman, order! Is this the right time you want to rest your ideas and sleep over them?

**Hon. Gethenji:** Yes, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Kajwang'): All right, thank you. You will have a balance of 26 minutes to finish your submissions tomorrow when this matter appears in the Order Paper.

I therefore order that the business appearing as No. 9 on the Order Paper appears tomorrow in the afternoon for the Mover to make his response for the balance of his time. It also means that you have to avail yourself when that Order is called because if you are absent when it is called, you will lose that right to use your balance.

**Hon. Gethenji:** Indeed. Thank you, hon. Temporary Deputy Speaker.

### ADJOURNMENT

The time being 6.30 p.m., the House stands adjourned until tomorrow, Thursday 19<sup>th</sup> March, 2015 at 2.30 p.m.

The House rose at 6.30 p.m.