

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 16<sup>th</sup> August 2018

The House met at 2.30 p.m.

*[The Deputy Speaker (Hon. Moses Cheboi) in the Chair]*

### PRAYERS

**Hon. Deputy Speaker:** Order, Members! Those coming in should quickly find their way to their seats and business will begin.

### PETITION

Under that Order, I have a request from Hon. Jessica Mbalu. She is absent. Next Order.

### PAPERS LAID

**Hon Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, I beg to lay the following Papers on the Table of the House:

Quarterly Economic and Budgetary Review for the Financial Year 2017/2018 for the period ending 30<sup>th</sup> June 2018 from the National Treasury.

The Reports of the Auditor-General and Financial Statements in respect of the following constituencies for the year ended 30<sup>th</sup> June 2017 and the certificate therein:

- a) Kibwezi West Constituency;
- b) Matungulu Constituency;
- c) Mwingi North Constituency; and
- d) Wajir East Constituency.

The Report of the Auditor-General and Financial Statements of Banissa Constituency for the year ended 30<sup>th</sup> June 2016 and the certificate therein.

Thank you.

**Hon. Deputy Speaker:** Before we go to the next Order, let me recognise in the Speaker's Gallery pupils from Qubaa Muslim Primary School, Mvita Constituency, Mombasa County. The constituency is represented by Hon. Nassir, the Chair of Public Accounts Committee and a son of a former minister.

**Hon. William Kisang** (Marakwet West, JP): I have a Paper.

**Hon. Deputy Speaker:** Hon. Kisang, your Paper is not indicated here, but I will exercise my powers. Let us proceed and hear what you have to say. I do not know if there is another Member with a Paper. I know for sure that Hon. Kisang's Paper was approved to be laid on the Table of the House. Hon. Kisang' proceed.

**Hon. William Kisang** (Marakwet West, JP): Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Departmental Committee on Communication, Information and Innovation on the Petition regarding the enactment of legislation to govern registration, regulation and licensing of digital security and forensic professionals.

Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** We have finalised the items on that Order, therefore, let us have the next Order.

## STATEMENT

### BUSINESS FOR THE WEEK COMMENCING 21<sup>ST</sup> TO 23<sup>RD</sup> AUGUST 2018

**Hon Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, pursuant to Standing Order No.44(2)(a), I rise to give the weekly Statement on behalf of the House Business Committee.

The Committee met on Tuesday this week at the rise of the House to give priority to business for consideration. Next week, the following Bills are scheduled for debate in the Second Reading:

- a) The Finance Bill, 2018;
- b) The Warehouse Receipt System Bill, 2017;
- c) The Urban Areas and Cities (Amendment) Bill, 2017;
- d) The Health Laws (Amendment) Bill, 2018; and
- e) The County Governments (Amendment) Bill.

We will also consider the Statute Law (Miscellaneous Amendments) Bill, National Assembly Bill No.12 of 2018, in the Committee of the whole House. I urge Members with amendments to the said Bill to submit them to the Office of the Clerk at least 24 hours before the sitting in accordance with Standing Order No.133(2).

Also prioritised for debate is the Second Report of the Procedure and House Rules Committee on consideration of amendments to the Standing Orders.

On Questions before Committees, the following Cabinet Secretaries are scheduled to appear on Tuesday 21<sup>st</sup> August 2018:

The Attorney-General of the Republic of Kenya will appear before the Departmental Committee on Justice and Legal Affairs to answer questions from Ndindi Nyoro in the Mini Chamber, County Hall.

The Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development will appear before the Departmental Committee on Transport, Public Works and Housing to answer questions from Hon. Benard Shinali, Hon. Gabriel Kago, Hon. Abdullswamad Sheriff and Hon. Ruweida Mohamed, at the Main Chamber Parliament Buildings at 10.00 a.m.

The Cabinet Secretary for Agriculture and Livestock, Fisheries and Irrigation will appear before the Departmental Committee on Agriculture and Livestock to answer questions from Hon. Benjamin Washiali at the Mini Chamber at 11.30 a.m.

Finally, the HBC will reconvene on Tuesday, 21<sup>st</sup> August 2018 at the rise of the House to consider the business for the coming week.

**Hon. Deputy Speaker:** Before we go to the next Order, let me recognise, in the Speaker's Gallery, pupils from Immaculate Mother Parochial School from Eldama Ravine, who

are represented by Hon. Lessonet; St. Francis Nyacaba Secondary School from Juja Constituency, Kiambu County, ably represented by Hon. Waititu Wakapay, the gentleman who is seated in the front row of the Government side. I have introduced Qubaa Muslim School from Mvita Constituency. We also have in the Public Gallery, Kaptum Boys School from Marakwet West Constituency, Elgeyo Marakwet County, represented by the Chair who just tabled documents; Koisungur Academy from Keiyo North, Elgeyo Marakwet County, represented by Hon. (Dr.) Murgor and St. Lucia Catholic Church Liturgy Kids from Ruiru, Kiambu County represented by Hon. King'ara.

Next Order!

## MOTION

### REPORT ON IMPROVEMENT OF SERVICES AND FACILITIES FOR MEMBERS

THAT, this House adopts the Report of the Committee on Members' Services and Facilities on the Improvement of Services and Facilities for Members, laid on the Table of the House on Tuesday, 24<sup>th</sup> April 2018.

*(Hon. Ezekiel Ombaki on 15.8.2018)*

*(Debate concluded on 15.8.2018– Afternoon Sitting)*

**Hon. Deputy Speaker:** What remained of this was for the Question to be put and I proceed to do so.

*(Question put and agreed to)*

Next Order!

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[The Deputy Speaker (Hon. Moses Cheboi) left the Chair]*

### IN THE COMMITTEE

*[The Temporary Deputy Chairman (Hon. Christopher Omulele) took the Chair]*

### THE BUILDING SURVEYORS BILL

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Members, we are in the Committee of the whole House to consider the Building Surveyors Bill (National Assembly Bill No.35 of 2017).

*(Clause 3 agreed to)*

*Clause 4*

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 4 of the Bill be amended—

- (a) by re-numbering the existing clause 4as 4(1);
- (b) by inserting the words “registering and” immediately before the word “regulating” appearing in the renumbered new sub-clause (1); and
- (c) by inserting the following new sub-clause immediately after the renumbered new sub-clause (1) –

(2) Without prejudice to the generality of sub-section (1), the Board shall—

- (a) promote the practice of building surveying that complies with universally accepted norms and values;
- (b) prescribe the minimum requirements and consider and approve the qualifications of persons wishing to be registered as building surveyors under this Act;
- (c) maintain a register of all persons or firms registered under this Act;
- (d) review and designate categories within the building surveying profession under which a person or firm may be registered;
- (e) issue registration certificates and annual practicing license certificates to persons and firms qualified under this Act;
- (e) levy such fees as it may determine for registration and grant of the annual practicing license including, other fees that the Board may consider necessary for the furtherance of its objectives;
- (f) regulate the activities and conduct of registered persons and firms;
- (g) establish and maintain a professional code of conduct for persons and firms registered to practice under this Act;
- (h) establish, approve and accredit continuing professional educational programs for building surveyors;
- (i) prescribe and conduct examinations for purposes of registration under this Act in collaboration with approved institutions;

- (j) produce and disseminate material information in connection with the works and activities of the Board;
- (k) publish and circulate any material in connection with the building surveying profession and related matters;
- (l) promote awareness and educate the public on the professional duties and responsibilities of a building surveyor;
- (m) publish annually in the Kenya Gazette a list of persons and firms practicing building surveying in Kenya;
- (n) determine the fees to be charged by building surveyors and firms for professional services rendered from time to time;
- (o) hear and determine such disputes relating to the professional conduct of building surveyors; and
- (p) undertake any other activity that may be necessary for the fulfillment of any of its functions under this Act.

Hon. Temporary Deputy Chairman, in the original Bill, the functions of the Survey Board were not provided. Therefore, my Committee has provided them.  
Thank you.

*(Question of the amendment proposed)*

**Hon. Aden Duale** (Garissa Township, JP): Hon. Temporary Deputy Chairman, the Chair should be fair to us. He is trying to expand the scope of what is in the Bill. It is good he tells the House the functions he is expanding and giving it to the Surveyor's Board of Kenya. Provide some justification.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): That is a valid intervention. Chair?

**Hon. David Pkosing** (Pokot South, JP): I have provided them but I can go through them again as provided in the Order Paper. First, we have added that the Board shall promote the practice of building surveying that complies with universally accepted norms and values.

Second, the Board will prescribe the minimum requirements and consider and approve the qualifications of persons wishing to be registered as building surveyors under this Act.

Third, the Board will maintain a register of all persons or firms registered under this Act. We have enumerated all of them. For the sake of time, they are available on the Order Paper.

**Hon. Daniel Maanzo** (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Chairman. The Chair, in his amendment to Clause 4, intends to make sure that practitioners in this field are regulated just like the way the Law Society of Kenya (LSK) and other professional bodies regulate their members. It is very good for this profession, especially with the emergence of new buildings and land surveys. All these problems we have are due to lack of professionals. I support this amendment.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Leader of the Majority Party, are you satisfied with the explanation given?

**Hon. Aden Duale** (Garissa Township, JP): Yes.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Nyikal.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Hon. Temporary Deputy Chairman, I support the listing of the functions but they are so general. For example, “(f) to regulate the activities and conduct of registered persons and firms.” Can we be assured that somewhere in the Bill there is provision for the regulations that will make this possible? As it is, they may not be implementable until that is done.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I will now put the Question.

**Hon. (Dr.) James Nyikal** (Seme, ODM): He has not responded to the issues I raised.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Nyikal, this amendment is now the property of the House. Let the House decide one way or another. There have been arguments for and against. It is now time for the House to decide one way or another.

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

*(Clause 4 as amended agreed to)*

#### *Clause 5*

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 5 of the Bill be amended in sub-clause (1) by—

(a) deleting paragraph (a) and substituting therefor the following new paragraph—

(a) a chairperson, who shall be in private practice and a member of the Institution of Surveyors of Kenya (Building Surveyors Chapter);

(b) deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) four persons who shall be public officers and members of the Institution of Surveyors of Kenya (Building Surveyors Chapter);”

(c) deleting paragraph (c) ;

(d) by inserting the words “full” immediately before the words “members” appearing in paragraph (d); and

(e) by deleting the words “recognised University” appearing in paragraph “(e) and substituting therefor the words “recognised institution”.

Hon. Temporary Deputy Chairman, this is to professionalise the industry like the LSK for advocates and other bodies for various professionals. It will be very good that the Members of the Board should be full members of the Institution of Surveyors of Kenya (ISK), the building

surveyors' chapter from both the public and private sectors so that we do not have people in the Board yet they are not full members of those institutions. It will not add value to the registration of surveyors.

Thank you.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I see interest from Hon. Bowen Kangogo.

**Hon. Kangogo Bowen** (Marakwet East, JP): Thank you, Hon. Temporary Deputy Chairman. I want to support these amendments but I have an issue with the qualifications, especially under item (e). It is not okay when the Chair deletes the words "recognised university" appearing in paragraph (e) and substituting thereof with the words "recognised institutions". This is where we want to do away with quacks and have very serious engineers and surveyors looking after our buildings. Why is the Chair doing that amendment?

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Very well. Let us have the Leader of the Majority Party then the Member for Ndaragwa to contribute to that.

**Hon. Aden Duale** (Garissa Township, JP): The Chairman did not consult me on my Bill. You cannot reduce qualifications. There are graduate building surveyors. What are you introducing? Are you introducing people with a certificate course to represent surveyors in this Board? Let us leave it at "recognised university" particularly at the level of board members.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Member for Ndaragwa? Chair, I hope you are taking the concerns of the Members.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Chairman. Let me just share experiences from other professions with the House. It is this kind of provision that ruined the estate management profession. They had such a very hopeless provision in the Act that allowed men of good conduct. When you start saying "institutions", it includes institutions above bars. It is important you maintain the words "recognised university".

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Chairman, would you take into account what the concerns of the Members are? Would you be interested?

**Hon. David Pkosing** (Pokot South, JP): I have no problem. This is property of the House. The House is Parliament, I agree with them.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Just to make the work of the House easy, you could drop the (e). If you did that, I think the House would be able to move. Do you drop it?

**Hon. David Pkosing** (Pokot South, JP): Yes.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Very well.

*(Proposed amendment to part (e) dropped)*

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

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

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

*(Clause 5 as amended agreed to)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Simiyu Eseli, do you want to contribute to this?

**Hon. (Dr.) Eseli Simiyu** (Tongaren, FORD-K): No, Hon. Temporary Deputy Chairman.

*(Clause 6 agreed to)*

*Clause 7*

**Hon. David Pkosing** (Pokot South, JP): I beg to move:

THAT, Clause 7 of the Bill be amended in sub-clause (3) by deleting the word “the” appearing immediately after the word “where”;

Our reason is to correct a drafting error that was there. I thank you.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Do I see interest from the Leader of the Majority Party?

**Hon. Aden Duale** (Garissa Township, JP): Yes. I have no problem but, if you look at Clause 7, there is no place where it is written “where”. Where is where? There is no “where” in Clause 7. This Bill is mine. I am diligent about it. Unless you mean “which”, there is no “where” in that clause.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Chair, you have several sub-sections to that. You need to be a little more specific. The Leader of the Majority Party is right. Let us give the Chair an opportunity to see whether he can clean it.

**Hon. David Pkosing** (Pokot South, JP): Let me check the Bill as well. I think my Clerk wrote there wrongly when they were presenting these amendments to you.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Kangogo, what do you have to say to this? Hon. Chair, it is okay. I have seen it. Let us hear Hon. Kangogo. Are you comfortable? Have you seen what we are doing?

**Hon. David Pkosing** (Pokot South, JP): Yes. He is comfortable. He is my neighbour.

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

*(Clause 7 as amended agreed to)*

*(Clauses 8 and 9 agreed to)*



*Clause 10*

**Hon. David Pkosing** (Pokot South, JP): I beg to move:

THAT, Clause 10 of the Bill be amended by renumbering the existing sub-clauses in their correct chronological order.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Nyikal, do you have interest?

**Hon. (Dr.) James Nyikal** (Seme, ODM): I see sub-clauses 1, 2, 3, 4 and 4. These are the details we need to know. If we move very fast, we will leave small things which might seem miscellaneous. It was okay but, you have to tell us you are saying “4” should be “5”. It will be easier so that we can follow.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I know you are being abundantly cautious but I think he has done it. He is saying that he wants to follow the proper chronology in that clause. Then, it means we want to count from one up to five in an orderly way. I think it is okay. The Chair is fine.

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

*(Question, that the word to be inserted in place thereof be inserted, put and agreed to)*

*(Clause 10 as amended agreed to)*

*(Clauses 11, 12, 13 and 14 agreed to)*

*Clause 15*

**Hon. David Pkosing** (Pokot South, JP): I beg to move:

THAT, Clause 15 of the Bill be amended—

- a) in sub-clause (1) by inserting the words “as provided for in this Act” at the end of the sub-clause; and
- b) in sub-clause (4) by deleting the words “not exceeding five thousand shillings” appearing at the end of the sub-clause and substituting therefor the words “not exceeding two hundred thousand shillings, or to imprisonment for a term not exceeding six months or to both.

What we have done is just to enhance the penalties from Kshs5,000 to Kshs250,000, particularly regarding failure to comply with notice where the person has been removed by the Registrar of the Board. We found Kshs5,000 to be very little. People would just flout. Thank you.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I see interest from Hon. Kisang Kipkemoi.

**Hon. William Kisang** (Marakwet West, JP): Hon. Temporary Deputy Chairman, I rise to support what the Chairman has said, Kshs 5000 was too low a penalty and that is why it has been raised to Kshs 200,000. Not exceeding Kshs 200,000 but it can be zero. This is a reasonable amount.

I support.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Rasso Ali.

**Hon. Ali Rasso** (Saku, JP): Thank you, Hon. Temporary Deputy Chairman. Although they have changed from Kshs 5000 to Kshs 200,000, this is a profession where people make a lot of money from us. For it to be really punitive, we need to put at Kshs 1,000,000.

Thank you, Hon. Temporary Deputy Chairman.

*(Applause)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Chairman, I hope you can hear the sentiments. I can see the Leader of the Majority Party being at the frontline.

**Hon. Aden Duale** (Garissa Township, JP): From my knowledge, I know the Chair is not a building surveyor. If he were, we could have said he is protecting his interest. Imagine a house with people in collapsing and people die because of professional misconduct of a building surveyor. An amount of Kshs 200,000 is peanuts. That is why I want to ask him to move a further amendment and make it Kshs1, 000,000.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Chair, I hope you are listening to this. Hon. Member for Juja, Hon. Waititu.

**Hon. Francis Waititu** (Juja, JP): Thank you, Hon. Temporary Deputy Chairman. This has been happening in Juja, Ruiru and Thika. These people rush to build houses which collapse within three to four months and people lose their lives. I support that we raise that money to Kshs 1,000,000 it will help and these people will be scared to rush those houses. In Kiambu it is worse than in other counties.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): We shall now have Hon. Nzioka Kivasu, Member for Mbooni.

**Hon. Erastus Nzioka** (Mbooni, Independent): Thank you, Hon. Temporary Deputy Chair. I think as a Member said, building surveyors have some good money. The Bill is talking about not exceeding. So if we go to Kshs 1,000,000, that will be much better and it will be for a judge or whoever to see whether to go to Kshs 200,000 for those without money or to go to Kshs 1,000,000 for those with money.

Thank you.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Let us hear from Hon. Osotsi.

**Hon. Godfrey Osotsi** (Nominated, ANC): Thank you, Hon. Temporary Deputy Chairman, I wanted to contribute to Clause 16.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Ngugi Nduati, Member for Gatanga.

**Hon. Joseph Nduati** (Gatanga, JP): Hon. Temporary Deputy Speaker, I wanted to contribute to this and advise Hon. Wakape.

**Hon. Francis Waititu** (Juja, JP): On a point of Order, Hon. Temporary Deputy Speaker, there is no Member called Wakape here.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): It is noted.

**Hon. Joseph Nduati** (Gatanga, JP): I wanted to say the building surveyor has no role during the construction of a building. In fact, the role of a building surveyor is to inspect an old building. The normal practice in the industry is to inspect Government buildings. So, if he gives a report and a building collapses, at that stage maybe you can charge him, otherwise he will have no role. Taking this fine to Kshs 1,000,000 is too punitive because he has no role, even if that building collapses.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): That is his opinion. It is okay for him to have an opinion. Let us have Hon. Tuitoek Kamuren, Member for Mogotio.

**Hon. Daniel Tuitoek** (Mogotio, JP): Thank you, very much Hon. Temporary Deputy Speaker. I would like to read the definition of a building surveyor so that you know he has a very serious responsibility. Building surveyors offer professional advice on factors affecting existing buildings such as building defects, alterations, renovations and extensions as well the design construction of new buildings. This is a very serious role which means we need to put the responsibility higher. Therefore, I support the idea that we put that amount not to exceed Kshs 1,000,000.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Washiali, what is out of order? Do you want to make a contribution?

**Hon. Benjamin Washiali** (Mumia East, JP): Thank you, Hon. Temporary Deputy Chairman. This is a House of Representatives. The amount that had been indicated in the previous Act which we are now improving is Kshs 5,000. We would be biting too much to move from Kshs 5,000, to Kshs 200,000 then to Kshs 1,000,000. For us to be seen to be reasonable my proposal is to have Kshs 500,000 but as we increase the amount, we also need to do something about the term of imprisonment from six months to one year so that it is concurrent.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Okelo, Member for Nyando, I can hear your voice but I cannot see your interest expressed.

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Temporary Deputy Chairman. I want to take a different tangent. This is an important issue that borders on many things. Firstly, I agree with my brother, the Majority Whip that we cannot move Kshs 5,000 to Kshs, 1000,000. That is an incremental of several hundreds of percentages. So we need to be human enough. If we are going to levy penalty of up to Kshs 1,000,000 for a mistake that perhaps in one way or another may be out of reach of these particular surveyors, we are becoming inhuman. Again, let us realise that negativity gains more currency than positivity. We know many buildings are erected every day and they sprout from one region to another but if you look at the percentages of the houses that...

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Okello, your contribution is noted. You think we should move but not in the incremental. This is the property of the House. Let us hear what the Chair wants to do with his proposed amendment.

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman I thank you. We are listening to Hon. Members. We are also people's representatives and we are listening.

I therefore propose that Clause 15 be amended in subsection (4) by deleting the words "two hundred thousand shillings" and substitute therefor the words "five hundred thousand shillings."

*(Question of further amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Members, those who are interested in debating, will debate Clause 15 as further amended. I will allow two or three Members to contribute to that. I see interest from Hon. Kithua, Member for Kilome are you interested in this?

**Hon. Thuddeus Nzambia** (Kilome, WDM-K): No.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): We shall then have Hon. Shinali.

**Hon. Benard Shinali** (Ikolomani, ANC): Thank you, Hon. Temporary Deputy Chairman. I wanted to contribute to the amendment which we have just concluded. Nothing is comparable to life. Now that the chairman has already given his proposal and you have concluded, I will wait to contribute later.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Very well Hon. Shinali.

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

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

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 15 as amended agreed to)*

#### Clause 16

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Chairman.

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 16 of the Bill be amended in sub-clause (2) by inserting the words “the license number and” appearing immediately after the words “shall bear”;

If you look at the amendment, we are introducing the words “the licence number” so that when you are issuing these licences at the end of the year you have not only the dates but also the licence number. It is critical so that the document you are issuing is authentic.

Thank you.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Do I see interest from Hon. Rindikiri Murwithania, Member for Buuri?

**Hon. Mugambi Rindikiri** (Buuri, JP): Thank you, Hon. Temporary Deputy Chairman. As I support that amendment, it is very critical that we maintain the number because we need to

track the licensing numbers of all surveyors. Even in terms of the long-term management of the registration process, if we know a particular company or individual being licensed by their number, it is going to be easier even for the Government to follow up.

Thank you, Hon. Temporary Deputy Chairman. I support the amendment.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Onyiego Osoro, Member for South Mugirango.

**Hon. Silvanus Onyiego** (South Mugirango, KNC): Hon. Temporary Deputy Chairman, it is not on this.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): You wanted to speak to the earlier one?

**Hon. Silvanus Onyiego** (South Mugirango, KNC): Exactly, although I will speak on Clause 29.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): That horse has fled. You might not ride it today. Hon. Cheruiyot Jesire, Member for Baringo. You also wanted to do the earlier one? Very well.

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

*(Clause 16 as amended agreed to)*

*(Clause 17 agreed to)*

#### Clause 18

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Mover.

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 18 of the Bill be amended by deleting the words “section 19” and substituting therefor the words “section 17”.

We are deleting the words “section 19” and substituting thereof the words “section 17” to clean up the Bill and to correct the cross-referencing mistake. I thank you.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I see interest from Hon. Wachira Kabinga, Member for Mwea.

**Hon. Josphat Kabinga** (Mwea, JP): I have no issue with that.

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

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 18 as amended agreed to)*

*(Clauses 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 agreed to)*

*Clause 29*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Mover.

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 29 of the Bill be amended—

(a) by deleting paragraph (a); and

(b) by inserting the words “membership, practicing or other fees” immediately after the word “such” appearing at the beginning of paragraph (b);

Our motivation is to ensure that funds of the survey board do not consist of such monies as may be appropriated by the National Assembly, so that it is very clear that they will get money from the fees that they will levy. It should be very clear where the money will come from so that they do not expect money from the Exchequer.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Nyikal.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Hon. Temporary Deputy Chairman, this is a trend that we are seeing. You know this is a regulatory authority that will be operating under a Ministry. If we say that all these regulatory functions are left to be funded by the fees that are collected, all they do is to pass that fee on to the clients. In many boards it is actually there although the boards still collect money. It may reach a time when the Government may feel we need this strengthened and working. You may have such bodies that may not have as much money as we may think. So, I oppose that amendment. The provision should stay.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): The Leader of the Majority Party followed by the Member for Ndaragwa.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Temporary Deputy Chairman, I want you to get the Bill and go to Clause 29 which has paragraphs (a) to (d). On the Order Paper, the Chairman is saying that Clause 29 of the Bill be amended by deleting clause 1.

*(A Member spoke off record)*

Does it say paragraph (a)? Okay. Then the one I have is wrong.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Hon. Kioni.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Hon. Temporary Deputy Chairman, I have a problem with that amendment for the reason that, one, in quite a number of boards, this kind of provision exists. Two is that even when money is not given directly to these boards, they are housed in government offices and are given personnel. So even if you remove the requirement for funding through the National Assembly, some of the boards may never be able to take off because they will not be able to have offices and personnel. I persuade the Chairman to allow that this continues. Like *Mheshimiwa* Nyikal says, in the event that they need some help, we do not need to amend the law.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I think that is a valid contribution. Chairman I hope you hear what Members are saying. We shall have the Leader of the Majority Party followed by the Member for Gatanga.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Temporary Chairman, I oppose this amendment for the simple reason that this is a replica, for example, of the Engineers Board of Kenya (EBK) who are housed by the Ministry of Transport and Infrastructure. How does the Government have some control over this? So, Chair because you rarely lose amendments, just drop this one so that we do not subject you to voting.

**Hon. Joseph Nduati** (Gatanga, JP): Thank you very much. I am also opposing that amendment as the Hon. Leader of the Majority Party has said. The Engineers Registration Board is housed at Transcom by the Government. The Architect and Quantity Surveyor's Board is also supported by the Government. In most of these boards, the registrar is normally from the Government and so we need to give them some kitty.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): The point is made. Chair, do you want to say something. You either decide what to do with it or I will put the Question separately on the two limbs.

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I have been threatened by my Leader of the Majority Party. I wish he could do that where I come from, Pokot, then I would have shown him what I am made of. But, in Parliament he is the Leader of the Majority Party but in Pokot, I have the majority. So, I agree and withdraw the amendment.

**Hon. Aden Duale** (Garissa Township, JP): On a point of order.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): What is out of order?

**Hon. Aden Duale** (Garissa Township, JP): Hon. Temporary Deputy Chairman, you have heard that direct threat to my life. This weekend I am supposed to go to Pokot to do a fundraising. When someone of Hon. Pkosing's calibre makes such a threat, the only people who can withstand that threat are people from Turkana County. Hon. Lomenen can withstand that. For me, I want him to withdraw that threat.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): He has already withdrawn. Hon. Pkosing, I thought I heard you say you withdraw.

**Hon. David Pkosing** (Pokot South, JP): You see, he has used another word saying that he is coming to my place. Now that he has become good to me I will look at it but I withdraw the amendment. I will meet him in Pokot and buy him meat. So, I withdraw.

*(Proposed amendment withdrawn)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Very well.

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

*(Clause 29 as amended agreed to)*

*(Clauses 30, 31, 32, 33, 34, 35, 36 and, 37 agreed to)*

*Clause 38*

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, Clause 38 of the Bill be amended by deleting the word “or” appearing at the end of paragraph (a).

We have only deleted the word “or” appearing at the end of paragraph (a). That seeks to correct some drafting error that was there.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Very well. That is clear.

*(Question, of the amendment proposed)*

Hon. Member for Ndaragwa, you have an issue with that amendment?

**Hon. Jeremiah Kioni** (Ndaragwa, JP): I have a problem with that amendment for the reason that if you look at 38 at the end of it, there is an “or” at the end of Clause 38 (b) there is another “or”. When you are trying to draft a charge, you need to have this flexibility. If you leave it without an “or” it is like the person must commit all the things said for you to charge them in court. But, when you maintain the “or” you allow a wider area within which charges can be drafted. So, I do not think it is a typo error. It is a drafting skill.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Chair, I think I am persuaded by the contribution by the Member for Ndaragwa. If we are going to delete the word “or” at sub-section (a) then why should we leave the one at subsection (b)? It is the property of the House and I will allow Hon. (Dr.) Nyikal to have a say.

**Hon. (Dr.) James Nyikal** (Seme, ODM): I also oppose this. It is simple. If you remove the “or” then the person has to do (a), (b), (c) and then he is liable. But, if you leave the “or” in all if he does either (a), (b) or (c) he is still liable. So, the “or” should stay.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Chair, make our work easy so that we can make progress.

**Hon. David Pkosing** (Pokot South, JP): I agree with them. I am persuaded.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Are you willing to withdraw it.

**Hon. David Pkosing** (Pokot South, JP): Yes particularly when it is coming from you.

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): Very well, you are well advised.

*(Proposed amendment withdrawn)*

*(Clause 38 agreed to)*

*(Clause 39 agreed to)*

*(Schedule agreed to)*

*(Clause 2 agreed to)*



*Long Title*

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Chairman, I beg to move:

THAT, the Bill be amended by deleting the long title and substituting therefor the following new long title—

An Act of Parliament to provide for the registration and licencing of building surveyors, to regulate their practice and for connected purposes.

If you look at our name, it is making it very clear what this Board is all about. The title encompasses what this Board will do.

Thank you.

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

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Long Title as amended agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**The Temporary Deputy Chairman** (Hon. Christopher Omulele): I now call upon the Mover to report.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Temporary Chairman, I beg to move that the Committee does report to the House its consideration of the Building Surveyors Bill and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Jessica Mbalu in the Chair)]*

## REPORT

### THE BUILDING SURVEYORS BILL

*(Loud consultations)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order! Let us have some order in the House. Hon. RK, let us have some order in the House. Let us have the Chairperson to report to the House.

**Hon. Chistopher Omulele** (Luanda, ODM): Hon. Temporary Deputy Speaker, I beg to report that the Committee of the whole House has considered the Building Surveyors Bill (National Assembly Bill No.35 of 2017) and approved the same with amendments.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Let us have the Mover of the Bill to move agreement with the Report.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Temporary Deputy Speaker, I beg to move that the House does agree with the Committee in the said Report and request Hon. Pkosing, the Chair of Departmental Committee on Transport, Public Works and Housing, to second.

**Hon. David Pkosing** (Pokot South, JP): Hon. Temporary Deputy Speaker, I second.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, I am not in a position to put the Question. So, I order that the Question be put at the next appropriate moment.

*(Putting of the Question deferred)*

Next Order!

## MOTIONS

### REPORT OF THE DELEGATION TO THE 62<sup>ND</sup> SESSION OF THE COMMISSION ON STATUS OF WOMEN

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I call upon the leader of the delegation, Hon. (Ms.) Wahome, to move her Report.

*(Loud consultations)*

Order, Hon. Members! Some Members are shaking hands and others are consulting loudly. Please let us observe order. The leader of delegation, Hon. (Ms.) Wahome must be heard in silence. Yes, Hon. Member.

**Hon. (Ms.) Alice Wahome** (Kandara, JP): Hon. Temporary Deputy Speaker, I think the audio system needs to be checked. This particular microphone behaved the same way yesterday. I like sitting at that corner. I am moving this Motion, on behalf of the leader of delegation, Hon. Purity Ngirici, who led this delegation to New York.

Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House notes the Report of the Delegation to the 62<sup>nd</sup> Session of the Commission on Status of Women (CSW62) held in New York, United States of America (USA), from 12<sup>th</sup> to 23<sup>rd</sup> March 2018, laid on the Table of the House on Tuesday, 19<sup>th</sup> June 2018.

Hon. Temporary Deputy Speaker, the Report is fairly lengthy. It is 53 pages. I will go through it as much as possible but I will try to be brief so that we can cover most of the issues raised in it.

Between 12<sup>th</sup> and 23<sup>rd</sup> March 2018, it was the pleasure of the leader of delegation, together with Members of Parliament, including Senators, to attend the 62<sup>nd</sup> Session of the Commission on Status of Women that took place in New York, USA. The Commission on Status of Women (CSW) is a principal global intergovernmental body exclusively dedicated to the promotion of gender equality and empowerment of women. The CSW is instrumental in promoting women's rights, documenting the reality of women's lives throughout the world and shaping global standards on gender equality and empowerment of women. The Commission's annual two-weeks session is a session where representatives of the United Nations (UN) member states, civil society organisations and the UN entities gather at the UN Headquarters in New York to discuss progress and gaps in the implementation of the 1995 Beijing Declaration and Platform for Action, the key global policy document on gender equality and the 23<sup>rd</sup> Special Session of the General Assembly held in 2000 (Beijing +5) as well as agree on further actions to accelerate progress and promote women's employment and enjoyment of their rights in political, economic and social fields. The outcomes and recommendations of each session that takes place each year are forwarded to the Economic and Social Council (ECOSOC) for follow up. The UN supports all aspects of the Commission's work. The entity also facilitates the participation of civil society representatives. The objectives of the CSW are as follows:

The session was the 62<sup>nd</sup> Session of the Commission. It took place, as I have stated, and the priority theme was "Challenges and Opportunities in Achieving Gender Equality and Empowerment of Rural Women and Girls" and the review theme "Participation in and Access of Women to the Media, Information Communication Technologies and their Impact and Use as an Instrument for the Advancement and Empowerment of Women." There were also agreed conclusions to the Commission's work. Specifically, CSW also provides a platform to share experiences and learn good practices in areas relating to priority and review themes.

*(Loud consultations)*

Hon. Temporary Deputy Speaker, I hope the Members who are consulting will contribute to this particular subject, especially the women Members. I urge them to listen so that they can make useful contributions.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): They are listening.

**Hon. (Ms.) Alice Wahome** (Kandara, JP): It is a very useful Report. I am sure that it will help them in carrying out some of their work.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): You are protected.

**Hon. (Ms.) Alice Wahome** (Kandara, JP): Thank you, Hon. Temporary Deputy Speaker.

Parliamentarians were also expected to discuss the policy and legislative gaps relating to the themes and fast-track identified legislative proposals in these sectors. The Report goes on to give an indication of the country's position to the CSW. Kenya prepared a country position paper to articulate the country's position in the priority theme. The position paper was peer reviewed and adopted during a half day national stakeholders' pre-CSW meeting for the Kenya Government delegation organised by the Ministry of Public Service, Youth and Gender Affairs, held on 6<sup>th</sup> March 2018 at Hilton Hotel.

In addition to adopting the position paper, the delegates also agreed on a shared plan of participating in the 62<sup>nd</sup> Session of the Commission on Status of Women. Delegates were further apprised of the important specific side events which the delegation participated in. There were side events which I will not delve in. Some of the side events themes were reducing the burden of women in agriculture and food processing. This captured the Big Four Agenda. In addition, Members of Parliament of Kenya attended and participated, among other sessions, a full day Inter-Parliamentary Union (IPU) meeting which was organised for all Members of Parliament who were attending the CSW62. This meeting took place on 13<sup>th</sup> March 2018. The main focus of the meeting was the role parliamentarians can play to deliver for rural women and girls.

The IPU further organised two other side events and Members had the opportunity to attend. I want to talk about participation in the CSW62. During the meeting, the Kenyan delegation held daily briefing sessions at the Kenya Mission to the United Nations (UN) offices to share lessons learnt and the plan for the day's activities and events. The sessions provided an important platform to coordinate and guide the delegation for optimum participation in CSW62. The Kenyan delegates participated actively in the proceedings of the main session priority, reviewed theme sessions and the numerous side events. They contributed both at the plenary discussions and question and answer discussions. It was a fulfilling experience for Members of the delegation to participate in this particular CSW62.

Hon. Temporary Deputy Speaker, the next page lists the outcomes of the CSW62. It also has the list of the Members of Parliament who participated in this CSW62. We had 17 Members. The list is there for the Members to look at. I want to say at this stage that at this particular time, we were privileged because we had Hon. Jeremiah Kioni as one of the participants in the CSW62. He made very useful contributions, among other Members of Parliament. I had also the privilege to attend. Committees can volunteer their Members to attend CSW because it occurs every year. I hope that is clear to the House.

I want to go to the next issue which is about the establishment of the Commission. The CSW is instrumental. I know Hon. Members, especially the male Members, may not quite understand that CSW is instrumental in promoting women's rights, documenting the reality of women's lives throughout the world and shaping global standards on gender equality and empowerment of women. In 1996, UN Economic and Social Council (ECOSOC) in Resolution 1996 and No. 6 expanded the Commission's mandate and decided that it should take a leading role in monitoring and reviewing problems in the implementation of the Beijing Declaration and Platform for Action and in mainstreaming gender perspective in UN entities or activities. Following the adoption of the 2030 agenda for sustainable development in 2015, the Commission now contributes to the follow-up of the 2030 agenda for sustainable development, so as to accelerate the realisation of gender equality and empowerment of women. During the annual two weeks session, representatives of UN member States where Kenya, as a country, attends every year, civil societies and UN entities, gather at the UN headquarters in New York. They discuss progress and gaps in the implementation of the Beijing Platform for Action, key global policy document on the gender equality and the 23<sup>rd</sup> Special Session.

Therefore, it is important for Members to note the importance of the Beijing Platform for Action and the fact that Kenya takes its place in this particular annual Commission's work. There were methods of work that were applied in terms of the meetings. Every year, the UN Secretary-General, Mr. Antonio Guterres, addresses the General Assembly. He welcomed all the participants and called the Commission as the most dynamic inter-governmental body at such a pivotal moment for the rights of women and girls. The Secretary-General said that across the

world women are telling their stories which provoke important and necessary conversations in villages, cities, boardrooms and bedrooms. I want to emphasise that women are making very key conversations in their bedrooms and sometimes even in the streets. The corridors of power should listen to those particular conversations. He cited examples of Latin America, France, India, Middle East and China. He also said that the voices of the “me too” time is up to the time ‘is now’. He pointed out that women and girls are calling out abusive behaviour and discriminatory attitudes. He identified the central question which the movement faced; the question of power. He alluded to the fact that power is never given and that normally power needs to be taken. He decried a male-dominated world and empowerment of women and girls as the common central objective of organisations like CSW.

He reminded the delegates that the centuries of patriarchy discrimination have left damaging legacy. Sexist attitudes and stereotypes were decried and stated to be widespread in the message and the address by the Secretary-General. The private sector was not spared. It was noted that there are serious issues that occur there. Sexist attitudes and stereotypes affect technology, civil society and international organisations like the UN. He took cognisance of the fact that women were pioneering scientists and mathematicians but they occupied less than 30 per cent of research and development jobs worldwide. He further said that there are accomplished artists, writers, musicians and film makers. Despite this, he noted that 33 men took home academy awards but only six women took them in 2018. Women are gifted negotiators and communicators but at the UN, the proportion of women is 20 per cent only. He noted this about an organisation that he heads. He challenged the leaders to reverse such statistics to truly usher in a new era for women and girls.

He noted that a girl born into poverty has a far higher chance of dropping out of school, marrying early, suffering complications during childbirth, experience violence and pass on this legacy to her children. This particular statement by the United Nations Secretary General was very empowering given the theme of the session.

Hon. Temporary Deputy Speaker, the Executive Director of the United Nations also had various good things to say about the session. She informed the delegates that worldwide, almost one-third of employed women work in the agriculture sector. The House should note that there are 400 million estimated women who are farm workers. These are the people we represent. They mainly work as small-holder farmers in agricultural and informal sectors with little or no social protection and almost nobody notices them. They are without any visibility. She noted that the world eats every day because women toil. Across the world, millions of women and girls in rural areas provide unpaid care in their homes. I have personally been providing unpaid care in my own home and that happens to every woman. She noted that the world eats every day because women toil.

She went further and affirmed that the Commission hoped to change that state of affairs and provide more opportunities for women. She also stated that the flagship research on Sustainable Development Goals (SDGs) implementation and the report prepared for the session showed that women in rural areas were lagging behind on every gender and development indicator for which data was available. While women in many regions constitute up to 60 per cent of the agricultural workforce globally, only 13 per cent of women own land that they work on with power imbalances that deprive them of control over such land and other incomes.

She went further to express the urgency to hold each other and leaders accountable for the promise to accelerate progress and the delegates to use this year’s session of the Commission as the timeliest opportunity to secure and accelerate the much-needed progress, building

consensus and share the best practices that allow the Commission to serve the poorest of the poor with urgency and maximum accountability.

In conclusion, the Executive Director of the UN said that all over the world, people are witnessing an unprecedented hunger for change in women's lives and a growing recognition that when women stay together, they can bring about far reaching changes.

The Commission on the Status of Women offers a historic platform for a new dynamic change. It has the greatest grassroots representation ever. This particular one recognised that there were grassroots women that attended the session and thanked the delegations which responded positively to the request to include women and girls from rural areas in both their delegations and in the youth summit. There were side events where youth participated. She concluded by calling on the participants to make the session a moment of real acceleration.

Let me say something small on the daily briefings that were taking place. The daily briefing sessions were held every morning of the CSW period at the Kenyan mission offices. They provided an opportunity for members of the delegation and other Kenyans attending and participating in the CSW to share lessons learnt, concerns and invite discussions among the participants. The daily briefings also provided a forum to convey the messages and reaffirming Kenya's position in the deliberations of the CSW. The briefing sessions were also used by the negotiators to inform the participants of the progress made towards the agreed resolutions of the CSW because as the conference went on, the resolutions are also discussed so the outcomes are known to the participants.

Kenya's position paper and country statement were read by Prof. Margaret Kobia. The statement articulated the contents of the position paper. The Cabinet Secretary highlighted the progress the country had made towards achieving gender equality, empowerment of women and girls living in rural areas in line with the objective of the priority theme of the CSW. The CS made specific reference to universal health coverage, low cost housing and manufacturing as part of the Big Four Agenda of the Government. She further articulated the intervention the Government was undertaking to implement the agenda, including policy, legal and legislative actions as well as interventions such as free and compulsory primary education in our public schools, free sanitary towels for the girls, Huduma Centres for seamless delivery of proximate services and free maternal health services, and the 30 per cent allocation of public procurement – I hope the Government is fast-tracking that - reserved for women. The Report indicates that only about Kshs40 billion of money reserved for youth and women under the 30 per cent policy is being accessed by women, therefore leaving a whole Kshs160 billion not accessed. We still need to empower both politically and economically although it is very hard. We understand the specific challenges that women go through considering that particular challenge.

I take this opportunity to note that even in this House the number of women is deplorable and discouraging for women who intend to join politics. We only have 23 women elected from the single constituencies with the balance being occupied by men. It is therefore a matter that needs to be recognised in terms of affirmative action. Article 27 of the Constitution places the burden and responsibility on the State to ensure women are socially, economically and politically empowered and that affirmative action policies are developed.

I see Hon. (Dr.) Nyikal is taking note of that specifically. I am sure he remembers some of the positive gender policies he may have made when he served as the Permanent Secretary in the Ministry of Gender.

The civil society in the country was represented as it had its own place and contribution on this particular matter. On women and media, it was recognised that the images that broadcast

the participation of women in the media were still wanting. There were few women in politics and stereotypes depicting women inappropriately were still being experienced. Activities that discriminate against women, gender inequality are still characteristic of the media to date. There is slow progress in realising equality in issues of women and the media despite very many campaigns on the issue. It was also noted that there is need to insist that media houses and organisations include educational content and inclusive messages that would allow children to grow in a framework of equality.

There is need for a national strategy on equality to tackle discrimination against women. These were issues coming out from women and the media including express focus on intersectionalism and inclusivity of women in employment. They also deplored the fact that there was non-existence of gender media policy and this was seen as being due to the power of main media companies that have refused to be regulated. Further, the need to mainstream gender equality in the media and ICT was noted.

Therefore, in conclusion regarding that, there are various other issues that are in the document that I would encourage my colleagues to look at. It was also noted that there were salient factors and one among those factors is the fact that a spotlight initiative is required to provide a unique and unprecedented opportunity to demonstrate that a significant concerted and comprehensive investment in gender equality can make a transformative difference in the lives of women and girls as well as contribute to the achievement of the Sustainable Development Goals (SDGs).

The document is fairly long. I want to now refer to economic empowerment where it was stated that the empowerment of women in rural areas was critical to ensure that the welfare of women and girls in rural areas was achieved. Gender Based Violence (GBV) remains a major threat against women in Liberia and other countries. There were 1,785 cases and when we looked at that and compared to what Kenya is going through even today, there are very bad cases of gender-based violence. You will note the case in Eldoret where a man beat his wife so badly that he disfigured her face. When he was asked, he said he did not know because he was drunk.

There is also a recent case where another man in Ukambani, eastern region, battered his wife so badly and there were people recording the violence. Indeed, we should congratulate the Directorate of Criminal Investigations (DCI) for moving swiftly, together with the Director of Public Prosecutions (DPP), to take these cases for prosecution. We should go further and arrest the people who record such violence. It is abnormal to watch somebody being violated and then you circulate the video. The violator is alone yet there are several people watching.

The culture of violence against women was noted in this particular session and deplored by the participants. States were asked to take action. Therefore, I recognise what the Government is doing. We have seen something peculiar in terms of the DPP moving with speed in those last bad cases and prosecution being taken. We also hope that the Judiciary will look at the matters through a gender perspective lens.

There was the case of widowhood, economic empowerment and poverty eradication for widows. Maybe we could also talk about widowers, but this was a women conference. Widowhood is another challenge both in terms of political, economic and social order. An achievement of empowerment by widows who are left with very little or nothing in terms of wealth or property owned by their husbands is crucial. Widowhood is inevitable yet there are neglected gender issues which condemn over 300 million widows and more than 500 million of their children to poverty. They represent 16 per cent of the world's population. They are sentenced to a life of misery and trapped in a vicious cycle of poverty. That was noted.

Having highlighted those issues, the Commission on Status of Women had various agreed outcomes and conclusions by the member States, Kenya included. There was an agreement that social protection systems, access to public services and sustainable infrastructure for gender equality and empowerment of women and girls was necessary. The review theme in the next women's conference will be 'Women's Empowerment and Link to Sustainable Development'.

When we came back, the delegation prepared a joint communique for purposes of planning and communicating the results of the meeting. The Government of Kenya delegation was drawn from the national Government, county governments and State agencies. We had two governors, namely, Governor Joyce Laboso and Governor Anne Waiguru. There was also a former male governor from Baringo. There was youth and persons with disability. The participation was very good particularly from the female governors.

There were 52 agreed conclusions, but I cannot go through all of them. The document has all those agreed conclusions listed. I urge the Members to go through them so that they can use those conclusions to lobby and do advocacy in their work in terms of what the meeting felt.

I could highlight a few of those conclusions. The Commission recognises the importance of relevant International Labour Organisation (ILO) standards related to the realisation of women's right to work and the right to critical empowerment of women including those in rural areas. It recalls the decent work agenda of the ILO and that the ILO declaration on fundamental principles and rights at work were still not yet achieved. It was noted that it was important to start implementing some of those, so that they can reach rural women, who, most of the time work without pay or even earn less than their male counterpart. In rural areas, women earn less.

The Commission emphasises the mutually reinforcing relationship among achieving gender equality and empowerment of women and recognises that the Beijing Declaration and Platform of Action remains a key framework that will guide gender equality achievement by countries.

The Commission further reaffirmed that the promotion and protection of and respect for human rights and fundamental freedoms of all women and girls including the right to development, which are universal, indivisible, interdependent and interrelated are crucial for women's economic empowerment and should be mainstreamed in all policies and programmes aimed at the eradication of poverty and women's economic empowerment.

As I say that, I want to take this opportunity to challenge the Government. What has it done in respect of Article 27? What affirmative action policies, instruments and frameworks has it come up with to reach out the 23 women, whom I lead in terms of work in their constituencies? We are speaking to the National Treasury. What affirmative action programmes have gone to make sure that we get double numbers of women in the next elections instead of 23 of them? It is upon the Government to reach out to women in those constituencies and come up with programmes and projects that will help their work. They have gone through very difficult times sometimes, including being told by the opponents that women will not be able to lead. It is the Government's responsibility to get projects and ensure that we have more women in leadership. Gender equality is not a headache of women. Women could only be the victims. The responsibility to bring women on board lies with the Government.

This House should note that there is a matter in court and the prayers are to dissolve this House for non-compliance with the Constitution in terms of the threshold of the two-thirds gender principle. I take this opportunity to remind the House that Article 81 has not been achieved. Another important issue that arose in the conclusion was that the Commission



expressed concern that 1.6 billion people still live in multidimensional poverty. It also says that only 80 per cent of the extremely poor live in the rural areas. That acknowledges that the progress in the eradication of poverty has been uneven and that inequality has increased. It expresses concern that poverty is a serious impediment to the achievement of gender equality and empowerment of all women and girls including those living in the rural areas. As I had mentioned to the House, the document has 52 conclusions. I was just highlighting that so that I can draw the interest of the Members to read the document.

As I near the end, the joint communique has various headings. I do not think I want to go through that. The Commission recognised that it was necessary and strategic for the CSW to be the strategic platform for Kenya to highlight key issues, share best practices and help share the global agenda. It recognises the importance of fully engaging men and boys as agents and beneficiaries of change for the achievement of gender equality and empowerment of all women and girls. The Government of Kenya's Delegation to the 62 Session on the CSW identified various pillars as being areas of priority to guide action in the employment of women and girls.

There was recognition that gender equality will be achieved if we include in our strategies and frameworks the participation of men and boys. I think they are all men. But it says 'men and boys'. Achievement will be achieved when we agree to sustain advocacy for increased numbers and effective participation of women in leadership at all levels of decision-making. You know we have had various losses in the public sector. It includes various parastatal heads and directorships. I take this opportunity to point out that the appointment and nomination of women has been low and below the expected thresholds as guided by the Constitution. There are various issues that came up to guide the outcomes.

As I wind up, I want to go to what we agreed in terms of the communique, for purposes of taking action. The team called for action and greater collaboration between both levels of Government, namely, the Executive, Parliament and the Judiciary. As I had said, when cases of gender-based violence, succession and women being denied their property rights come up, the Judiciary is required. That should be the case even in public bodies' appointments. Development partners are also urged to partner with women, women organisations and the Government to assist in achieving gender equality, especially to reach rural women. There was also differentiation in terms of women living in the rural areas. We agreed that the suitable term is to refer to women in the rural areas as 'women and girls living in the rural areas' and not 'rural women' anymore.

Therefore, through the joint communique, there was call to action. The call to action came up with 32 points. Because this is the last part, I could just go through a few of them. We said that we must develop a framework for the participation of women and girls in the Big Four Agenda as a framework for accountability and effective coordination across the sectors. There is a call for strengthened systems to increase representation of women in decision-making at all levels including affirmative action policies that I have referred to.

Guided by Articles 27, 81 and 100 of the Constitution, electoral reforms need to be gender friendly, appropriate and for advancing women's effective political leadership. We should put concerted efforts to change the narrative of gender equality and women empowerment by highlighting the need to cooperate with men as partners. We are to showcase the gains that gender equality and women empowerment has achieved and the impact of women leadership. We are to coordinate a county level mapping of viable business opportunities, markets and emerging frontiers that expand decent work for all women. The review and repeal of legal restrictions in all relevant laws was another call for action. Working towards amendment of rules

and regulations related to access to public procurement opportunities is key. Therefore, Members of this House will be instrumental in that, particularly for access to public procurement opportunities to ensure appropriate assignment of functions which include civic education and the rest. We should actualise the commitment to establish a centre of excellence for women.

Another call for action was capacity building and investment in financial literacy and innovative transition pathways of women horned in formal businesses. Again, we looked at building capacities of national and county assemblies. Mainstreaming gender responsive budgeting and economic policies is another issue. You will remember that the last term of the first county assemblies, women who were nominated were referred to as 'top ups'. Such derogatory terminologies should be avoided and done away with because we must recognise such nominations pursuant to Article 97 and 98 of the Constitution. Another point of action is to build capacity of national and county assemblies in extreme gender, external access to social protection of women, set up a framework, localise and decentralise mechanisms, intensify efforts to ensure civic education, monitoring and evaluation, establish a framework to engage men and boys as agents of change and champions of gender issues, especially the two-third gender principle. We are actually looking for a male champion. I must remind my brothers here that the Two-Third Gender Principle (Amendment) Bill is on the way and we are looking and seeking for its support. I have referred to the threat of dissolution of this House through a court process. Therefore, it is important that we address ourselves to the Two-Thirds Gender Principle (Amendment) Bill that is coming.

The Bill also seeks to establish a trail-blazer programme for transformative women leaders, meaning those who have been ahead of us. People like Hon. Beatrice Kones have a lot to offer and share. This will create a registration and policy to ensure gender assessment is undertaken.

*(Loud consultations)*

I am very serious because I know the kind of campaign she did to get back to Parliament this term. We must recognise and use them as trail-blazers. Build capacities of national and county assemblies, but also engage the National Treasury on the provision of specific codes in the standards of application and how they apply the affirmative action funds. I am sure my sisters will like this. I am not talking about the GAF. This time I am talking about the Affirmative Action Fund. The call for action is long, but with the 32 action points, I want to finish by saying that the call to action also recognises the Big Four Agenda. The four priority areas enumerated were subsectors of the broader conversation on equality and there was need to bring in the youth. We were not just talking about women. We were talking about women who are in the youth bracket and youth generally because they suffer the same marginalisation. The Government was also called upon to scale up the provision of the national free sanitary pads in collaboration with other actors including the Beyond Zero, which is an initiative of Her Excellency the First Lady, Ms. Margaret Kenyatta.

Finally, to ensure availability of comprehensive services for women and girls affected by gender-based violence. From that, we thought that it was important to call for action from the Government and other stakeholders to build one stop centres, shelters and counselling institutions to deal with the psychosocial challenges that women who have faced gender-based violence have gone through. I conclude by saying that we acknowledged the important role of the Ministry of Public Service, Youth and Gender Affairs and request them to continue to

provide coordination of the CSW meeting, including convening regular quarterly meetings, to review the progress on the agreed outcomes and plan for effective participation of the Kenya delegation for the 63<sup>rd</sup> Session in March 2019. That should interest the Members of this House because it will be there. I want to thank the Members for listening to me. It is a very long Report and I hope I have created sufficient curiosity and interest even from Members like Seroney, my good friend, to contribute and support it.

I want to thank Hon. Naisula Lesuuda because yesterday we waited the whole afternoon to get the opportunity to present the Report to the House, but we did not. She has not given up and will be seconding it. I encourage other Members to support the Report. Hon. Naisula will be seconding.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Naisula to second the Report.

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to second this very important Report. I also thank the Mover of the Report, on behalf of the Chair of the Kenya Women Parliamentary Association (KEWOPA), Hon. Ngirici, who was also the leader of the delegation to the Commission on Status of Women. I will not take too much time because the Mover has really given a detailed report of what transpired in this year's 62<sup>nd</sup> Session of the Commission on Status of Women, which happened in New York. This is one of the conferences in the world that women converge to discuss and share their experiences and challenges. One of the things that we realised, even for those of us who have attended these conferences several times, is that challenges and experiences of women, although they vary from country to country, seem to be on the same level. Apart from a few countries among the developed countries, the challenges of women remain the same. In our own country and counties, the challenges of women remain the same.

This year's theme was 'Challenges and Opportunities in Achieving Gender Equality and the Empowerment of Rural Women and Girls' and a review theme which was 'Participation in and access of women to the media and information and communications technology (ICT) and their impact on and use as an instrument for the advancement and empowerment of women.' One of the key things that we realised, and it has been mentioned by the Mover, is that there is nothing called rural girls or rural women. It can only be women and girls who live in rural areas. Most of us come from these areas. It is just that the cities bring us together for various reasons, but the challenges that our women and girls face in rural areas are enormous.

We all know them. From an early age, we know they are the ones who fetch water and look for firewood yet compete with boys in their schools. Girls are expected to do the same exams with boys, while girls and women continue to do various chores at home. We must think and we were all meant to think of how to make the work of girls and women in the rural areas burden less. It is important for us, as a country, to look at issues to do with access to clean water at the nearest point. It is important for us to think how to make sure that our girls and women can access water at the nearest point. Water has an impact on education. The distance the girls walk to fetch water and still catch up with the others in school, and are expected to perform well in exams, is something that we need to think through as one of the key challenges that our girls and women go through in the rural areas.

The second thing is that we still have the challenges of early marriages and FGM in most counties. Even though we have laws, they continue to be deeply-rooted culture that we have to think how to bring everybody on board. One of the key things that came out in the conference, which is something we have been discussing, is to bring men on board on issues to do with

culture. We know that men are the gatekeepers. They are the ones who discuss and pass laws and they are the ones who will finally say that some cultures have to be forgotten. So, it is important for us, at the policy level, to think of how to bring men on board on cultural issues like early marriages and FGM, and not just see them as enemies, so that we can overcome some of these challenges.

The other issue that continues to be a great challenge is gender-based violence, mostly on our girls and women. In the rural areas, girls and women have a higher risk of GBV because of their economic status. They cannot move. They think of where they will go with the children and what they will do with their families. So, they continue to stay in those abusive relationships and marriages because they have nowhere else to run to with their families. Also, it is important to realise that GBV is meted on men. We have seen a few men recently going through GBV and it is something that we have to think about. What is causing the stress? We see the levels are going up. We have to think whether it is how we bring up our children at a very young age, so that we can look at how we can make our boys, even at a young age, to see themselves as protectors of their sisters, whether by blood or not, so that we can live in a harmonious society.

It is important that we also discuss gender parity in terms of leadership positions. One of the key things that always come up in this conference is that it is important for both genders, especially women of all status, regardless of their economic power and where they come from, to sit at the table where negotiations and policies are made. If we are not at the table, then we are on the menu. We will be part of what is to be eaten. We want to be at the table involved in the discussions. We are glad that in the last elections - and it is something that we showcased at the conference - three women were elected governors, three were elected Senators and 23 as Members of the National Assembly. This is an improvement from the 16 that we had last time. We hope that as we progress, we will continue to fill the gap.

I just want to mention, even for those who are nominated, it should not be seen as tokenism or just a slot that has been given. I am a product of nomination. It gives you a platform, so that you can go and compete. It is an affirmative seat. So, it is something that we have to think about. The two-thirds gender rule issue is before this House. I hope that finally in this term, we are going to pass this Bill. Since it is a constitutional issue, it is not whether we like it or not. We have to think about how to bring our women at the table in terms of leadership and appointive positions.

Hon. Temporary Deputy Speaker, I second the Motion.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, there is an intervention by Hon. Kioni, Member for Ndaragwa.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Speaker. I rise under Standing Order 97. I know there is a resolution that we made on 14<sup>th</sup> February 2018. In spite of that resolution, I wish to ask that the time we take debating this Report be reduced from 10 minutes to five minutes, so that we can allow many Members to speak to it given the fact that the Mover and the Secunder have elaborated the issues.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Kioni, you are proposing how many minutes?

**Hon. Jeremiah Kioni** (Ndaragwa, JP): I am proposing five minutes.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The proposal is procedural pursuant to Standing Order 97. He has proposed that we limit debate period to five minutes. I put the Question.

*(Question, that debating time be reduced, put and agreed to)*

The next on my request list is the Member for Mwingi West. Is he in the House or there are Members who leave their cards on? Hon. Osotsi.

**Hon. Godfrey Osotsi** (Nominated, ANC): Thank you, Hon. Temporary Deputy Speaker, for the opportunity to contribute to this Motion. This is a very important Motion because, as you are aware, women are an integral part of a family which gradually becomes part of the entire society. This particular meeting was important because it implements the Beijing Declaration and the Platform for Action on issues of gender equality, women economic empowerment, maternal health and much more. The experiences that were gathered in this conference are important and very useful for our women. What we need is to have practical strategies on how some of these proposals can be implemented in rural areas, because that is where most women stay and that is where most challenges facing women occur.

Listening to the presentation by the Mover, I did not seem to hear anything to do with single mothers. This is a very important area that we need to consider as a country. Research indicates that six out of every 10 women are likely to become single mothers before the age of 45. This is a large number of women who are likely to be affected. We need specific affirmative action to address this. There are challenges with single parenthood which, in some cases, eventually leads to disrupted parenting which gradually affects this country in many ways. As we move on as a country, it would be very important to have specific affirmative action to deal with the issue of single mothers.

There is also the issue of early pregnancies and early marriages. Statistics show that 23 per cent of our girls are married before they reach 18 years. Twenty three per cent is such a large number of girls that this country cannot ignore. We need specific strategies to address the problem of early child marriages. I hope the resolutions from this meeting addressed the problem of early child marriages.

It is also important that this country must face the reality that we need to have a comprehensive curriculum on sex education in our curriculum. Some of these early pregnancy challenges arise as a result of lack of sex education. We need a lot of awareness around this area, so that we have less girls getting married early in life or getting pregnant before they complete school. Most importantly, looking at the recommendations in this Report, they have recommended that this Parliament needs to speed up the introduction of the Widows Bill. I agree with them fully on that, so that we can deal with the challenges faced by widows.

With those few remarks, I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Member, your time is over and you are not on record. Let us have Hon. Oduol Odhiambo.

**Hon. (Prof.) Jacqueline Oduol** (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker. I also support the Report.

The Commission on the Status of Women as, indeed, has been ably presented by the leader of delegation, is an opportunity for Kenya to reflect and examine where the country is in terms of not just the development of women, but much more importantly, to look at the way that the country has implemented existing legislations. As we look at the very critical aspect of best

practices and lessons learnt, and in order not to take on too much time so that we can get as many Members as possible to speak to this, I would like to draw particular attention to the Call to Action No.9, that speaks to building capacity at the national and the county level.

As we listen and debate this Report, we are aware that in spite of the clear constitutional stipulations with regard to the affirmative action to get representation of women in leadership at the county assembly - and that leadership be one that would perform the role of any legislature, namely, legislation, oversight and representation - we have counties such as the Kisii County Assembly, where in clear disregard of not only the constitutional requirement, but also lack of understanding of what gender means, have passed legislation to restrict the nominated Members of the County Assembly from participating in legislation.

Therefore, as I loud the Call to Action, particularly No.9, I would like to indicate that we do not just limit ourselves to gender responsive budgeting. I would like that we begin to ask ourselves whether we understand the distinction and see that gender can be seen from two levels.

We have talked of the Call to Action No.3. We want to change the narrative and include men in partnership. This is laudable, but I would like us, as the National Assembly, to recognise that we need to get back to looking at understanding how we can all embrace issues of gender.

Gender can be seen as difference where we will be looking at men and women and their rules. Hon. (Dr.) Nyikal was the Permanent Secretary in the Ministry of Gender, Children and Social Development and Hon. Naomi Shaban the Minister. I later on had the honour of taking over from him and we were clearly indicating that if you are thinking of gender as difference, then you are thinking of roles. You will be making sure that you address issues such as security, electricity, water and education because they will tend to be duties that women perform. You will be thinking of roles that ordinarily men perceive to be theirs such as protection and their sense of having a voice and a presence.

We can also see the Call to Action No.3, which talks about frameworks of monitoring. As I support this Report, I want to say that we have heard, since we went to Beijing in 1995 and in 2000, that they have been placing a lot of emphasis on statistics because we need statistics to assist us in policy making. However, it is time we used statistics to help us to monitor going by the level of domestic violence and the number of the challenges that we experience. It is for this reason that I hope that we can now begin to build capacity, so that we can understand how to negotiate, make policy and implement.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Thank you. Members, I am reminding you that you have five minutes to debate on this. Let us have the Member for Malava.

**Hon. Moses Injendi** (Malava, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Report. As I do that, it is said in my community that women are their own enemies. In this House, we are debating a Report touching on women. We have over 60 women in this Parliament, but I can only see about 12. Where are the rest to talk about this Report and understand what it is all about? All the same, I support it because women do so much in this country.

Where I come from, it is women who do a lot in economic contribution, supporting families, raising the economies of families, fetching water and firewood while looking after children. However, they are not recognised. So, I have been wondering whether this could be caused by the element of paying dowry. The other day, according to Hon. (Dr.) Pukose, Members were contributing Kshs10,000 to assist Hon. Ng'eno to pay dowry. Could this be one of the factors that contribute to women not being recognised in the family?

This is just an issue to think about. When a woman is married, she moves from her family into the man's community. Could this be a factor that contributes to women taking that lower status in the society? I urge women in this House to think about this and see whether it really contributes. We have to think of a way of reversing this so that we can have women at the same level with men in the society.

Otherwise, I support the Report.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Are you proposing that dowry for women should not be paid? That is debatable, but you are free to debate. This is a House of debate. Member for Kajiado East, do you want to debate or you are on a point of order? If it is a point of order, the Member has already assumed his seat. You should have raised it when he was standing. Members should know the procedure of this House.

Next is the Member for Nairobi County, Hon. Passaris Rosanna.

**Hon. (Ms.) Esther Passaris** (Nairobi CWR, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to the Motion. I support the Motion. The Report was very well done and articulated. I managed to be part of the delegation towards the second week of the conference through the County of Nairobi. This was prior to the handshake and so, there was a bit of refusal by Members from the Opposition, but I was there and I was grateful.

As a country, we participate in so many conferences worldwide and there is always hue and cry from the public every time they see us going trips. But this is a trip that women took, sat, talked and learnt from one another. When we come back to our country, we make fantastic reports and file them and we talk about the issues that were discussed. I agree with the Member who talked about the fact that there are single mothers in Kenya and this should have been discussed. Whether you are a single mother or a married woman, all women are affected in this country at the moment, especially if you look at the demolitions that are going on.

We talked about economic empowerment at the CSW. We talked about development and human rights and they are covered in that Report, but where are human rights now in our country when we are demolishing kiosks that are run by women? We are demolishing houses that women and their children, the most vulnerable citizens, live in. I am not saying that we do not need the roads. I am not saying that we do not need to right what is wrong in terms of corruption. For instance, if you look at the way Nakumatt Ukay was demolished, I know women who work in a salon there, who support their families from there. I know restaurants and jewellery shops. There are so many women who work there, but when you look at the social media, it is like we are really a man-eat-man society. We are so happy to see the demolitions and we are thinking it is right, but it is wrong. It is wrong because there are simple, humane and legal ways of doing things. We cannot have a Government and be a banana republic.

If Nakumatt Ukay was constructed at the wrong place and we needed to bring it down like any other structures in this country - and I support the Government in what it wants to do - we have to think about women and the promises we made to our women and the youth. This country has a very high unemployment rate. If we have a high unemployment rate and people have tried to look for jobs, then we go for conferences like this and say that our country is forward thinking, respects human rights and empowers women, it is not right. We come back, table a report and support it yet our hands are tied and we see things are going wrong.

Today, I spent my morning at Médecins Sans Frontières (MSF), a French donor-driven project in Kenya. They gave records of women and children that they attended to in 2017. They provided ambulance service in Eastlands for 5,600 women and children. They also dealt with

about 2,900 rape cases. Out of the 2,900 rape cases, 50 per cent were under 18 years and out of those, 50 per cent were under 10 years. So, I am wondering, as we travel and do all these things as a country, are we actually determined to deal with poverty? Are we determined to empower our women? We have all the funds, but what is the point of having a fund? A woman gets money from the Women Enterprise Development Fund, puts up a kiosk and the next day, the Government demolishes it. So, we really have issues to deal with as a country. I think going to all these conferences, signing all the agreements and being party to various UN laws, at the end of the day, the only way this country will move forward is if we start dealing with the poor. It is the poor of this country, the women and children, who put us in office. As a Government, I think we have done wrong because we have been insensitive. We could have dealt with women and youth very well by saying: Okay, we want to decongest Nairobi and put highways. We want to get rid of buildings that were put up corruptly and deal with entities together.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Edith Nyenze, Member for Kitui West.

**Hon. (Ms.) Edith Nyenze** (Kitui West, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion. I thank the Mover who is the able Chair of the KEWOPA, together with the one who has seconded the Report, for the work well done. When you look at our Parliament, Kenya is ranked very lowly in women representation in Parliament in East Africa. The latest statistics show that Kenya is position six with 22 per cent of women in the National Assembly and 31 per cent in the Senate. Rwanda is leading in the pack with 61 per cent followed by Tanzania at 36 per cent, Burundi at 36 per cent, Uganda at 34 per cent and South Sudan at 28.5 per cent. So, we are the lowest in East Africa in women representation in the National Assembly.

The Government has tried, but more emphasis should be put in the implementation of some good policies, especially policy on free education and the issuance of free sanitary towels, *huduma* centres, free maternal health and the 30 per cent procurement opportunities for youth, women and people with disabilities. If these initiatives are implemented, then we could be somewhere. You will agree with me that the girl-child, especially in rural areas, sometimes is overworked yet expected to compete with the boy-child. The girl-child is supposed to fetch water and cook for the whole family even when she has a brother in the same class. The brother is left to study, but the girl is left in the kitchen. This disadvantages the girl-child who sits for the same exam with the boy-child.

Women status, especially in rural areas, can be improved by creating safe societies where women and girls can live free from violence. Of late, we have seen increased violence and rape cases. If these issues are addressed, we can help women in general. The other issue is to provide health care and treatment for victims of gender-based violence. For example, a girl was violated by a relative and she was supposed to go back and stay in the same family. This is very bad because this girl cannot study properly. We should establish centres where such victims can be treated, taken care of and removed from the violators for some time. Another activity is the strengthening of women's access to resources and opportunities for them to share more broadly in the benefits of economic growth. This is being done, but it is still not adequate. Another activity could be increasing the participation of women in decision and policy making at all levels. If women are included in decision and policy making, they could come up with policies which favour them and ensure that they are empowered. We are talking of women empowerment, but there is an outcry which is not shown by statistics. The boy-child is an endangered species. The statistics do not show that, but the outcry is there. As we talk about



women being empowered, let us also include the boy-child and integrate all the sexes, so that we do not improve one side and the other part is left behind. I have said that the boy-child is endangered, but this is not shown by the statistics.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Member for Ndaragwa, Hon. Jeremiah Kioni, who was one of the participants in the 62<sup>nd</sup> Session of the Commission on Status of Women.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Speaker. I want to contribute to this Report. I support it. I had the rare opportunity of being part of the delegation that went to CSW62. I can assure Hon. Wanyonyi that I was there and it was interesting.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): It shows your support for women.

**Hon. Jeremiah Kioni** (Ndaragwa, JP): I did so to support women. I want to assure Members, especially my male colleagues, that when these reports are brought on the Floor of the House, they do not need to be debated by women. So, when you do not see women here, it does not mean that they do not support the reports. We should contribute to the reports and support them.

I want to encourage my colleagues and tell them that being in such conferences is very useful. There are many things that you learn on what you can do to women in your own area. These are things that can help you win your seat without struggling. I know that in this country, we are still struggling with the need to make sure that we have the two-thirds gender rule.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Kioni, give me a minute. Member for Malava, do you have an intervention?

**Hon. Moses Injendi** (Malava, JP): Hon. Temporary Deputy Speaker, the Hon. Member has said that he has an interest in women. Can he declare it?

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Hon. Temporary Deputy Speaker, if you are a man and you have no interest in women, you have a problem. Some of these questions should not be asked. It is natural to have interest in women. Two, you were born by a woman and you have girls in your home. I also have a wife whom I love. I hope that satisfies your curiosity.

On a very serious note, there is a lot that we can do in our committees. There are things which are contained in the call to action. If you look at them, you notice that they are cross-cutting. It is not just one committee that needs to get involved. Many committees have work to do. I am looking for the Call to Action No.30, which says that we need to improve access to justice. There are a number of committees that are involved in that particular Call to Action No.30. There are very many committees that will be involved to actualise that. As Members, we need to pay attention to this Report. It is very useful for us to have women in decision-making places. It is very crucial to think about that woman who is living in the rural area. When you sit in those breakout committees, you realise that there are very many experiences that you learn from Senegal and Liberia of what women are doing out there and what we can learn from them. There is a lot that we can showcase, but as a country, we stand to benefit by having women on board and making sure that we take care of our girls. If we do not do that, it is foolhardy.

Hon. Temporary Deputy Speaker, in the last one week in this House, we had a Motion that you sponsored on the need to establish care centres for victims of gender-based violence. We had another one, which was sponsored by Hon. Mishu Mboko, that talked about the construction of special units within our primary schools. Even though men can bring these issues on board,

you can see that the kind of Motions that we have on the Floor of the House have more concern on issues that we would ideally ignore as men and imagine that we can deal with them. It proves that having more women in Parliament helps us to focus on virtually all the other areas that we ideally think we can take them on without talking about them because we are men.

I want to recognise the crucial role that was played by Prof. Margaret Kobia and Hon. Shebesh. They coordinated us every morning. We had those daily briefings. We broke out to various committees that we went to and shared. I want to encourage my male colleagues to have an interest in these conferences. There is a lot that you learn that will benefit you, your constituency and this country at large.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Kioni, you did not tell the Members how many other male Members of Parliament participated or have interest in the women's affairs. I must appreciate Hon. Kioni because he is doing very well on issues of women. As a House, we agree that women are not alone. As he said, men have women, daughters and mothers in their homes. He is very informed on issues of women. It is true that he seconded my Motion on gender-based violence and he spoke better than most of us. Congratulations Hon. Kioni on being a friend of the women and supporting the two-thirds gender rule. I can see that Member for Taveta, who is a Commissioner of the Parliamentary Service Commission (PSC), is seated next to Hon. Kioni.

Member for Nyandarua.

**Hon. (Ms.) Faith Gitau** (Nyandarua CWR, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Report. I was among the delegation that went to CSW62 with Hon. Kioni. I must say that I was really shocked and amazed to see the kind of love he has for women, especially women in this country. He defended us well. Thank you, Hon. Member.

I really want to commend our Cabinet Secretary and Chief Administrative Secretary for a commendable job. They articulated the interventions the Government is undertaking to implement the agenda very well, which include policy, legal, legislative action and pragmatic interventions such as free and compulsory primary education, free education in public schools, sanitary towels initiative, huduma centres and free maternal health services, among others. I must state here that Kenya was commended highly for taking stern measures to combat gender-based violence. This was made possible by enacting various laws like the Sexual Offences Act, 2007, the Female Genital Mutilation Act, 2011, the Victims Protection Act, the Marriage Act and the Counter-Trafficking in Persons Act among others.

As a country, we must recognise that violence against women and children remains a critical issue and hence should receive priority attention. It was agreed that women should be made heads of groups and committees that oversee implementation of peace-related programmes like the *Nyumba Kumi* Initiative and gender-based violence working groups among others. This will increase the representation of women in decision-making at all levels. The need to acknowledge and appreciate the role played by organisations that have previously led peace programmes like the Maendeleo ya Wanawake, Mothers Union, Mothers Guild among others, was recognised. The need to have great collaboration among the Government, Parliament, Judiciary, public bodies, development partners, private sector, civil society and non-conventional partners through Government programmes and gender-based violence was also articulated.

There is need to localise and decentralise a mechanism to monitor and evaluate the impact of gender programmes. This should be with special focus on affirmative funds, gender-based violence and access to Government procurement opportunities (AGPO). We appeal to

Parliament to prioritise the Widows Bill on protection of widow's rights and to scale up civic education on women, peace and security at county levels.

Hon. Temporary Deputy Speaker, I support the Report.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Member for Seme, Hon. Nyikal Wambura.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Report. The CSW is an extremely important UN agency. I would like to inform Hon. Kioni that I have attended three of these meetings.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Kioni has a friend.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Yes, he has a friend. It brings out important issues that I am happy the Committee took up and authored this Report. What is most important is the call for action that has been outlined in this Report. These are the issues that we need to look at if we are to carry these meetings forward.

I will mention a few. Call to Action No.3 put efforts to change the narrative of gender equality and women empowerment by highlighting the need to cooperate with men. Gender issues have been seen as women issues, but the truth is that they concern men and women. It has been seen as a war between men and women. That is not so. This is looking at a social issue where the two genders should cooperate and work together because the world cannot move without them working together. If we see it as an issue that both should work together, it is important. That should be taken together with Call to Action No.15, which says, 'establish a framework to engage men and boys as agents of change...'

When I attended the first CSW, I was shocked. It was attended by thousands of women and I think we were less than 10 men. When we listened to what the women were saying, it is the reality that we need to do for society. But these were women talking to themselves or talking to the converted. Actually, when I was in the Ministry with Hon. Shaban and Hon. Oduol, we resolved that it is important that whenever there are women issues being discussed, men should be brought in because they need to know and understand. Many times, they are not conversant with the issues.

Take boys in relation to the female genital mutilation (FGM). When we listened - and we have done a lot of work on this - we understood that the main issue was that if girls do not undergo the FGM, they cannot be married. But who is going to marry them? It is the men. If the men were one day to say that they cannot touch a woman who has been cut, FGM will literally be eliminated. But nobody has gone to boys' secondary schools to talk about FGM. They should be made the target. These are the issues we need to look at.

Call to Action No.4 says, 'coordinate county level mapping available business, particularly for women'. This country and many developing countries will not move until we mobilise women in rural areas. They do business with no training and with no market surveys. Women run the village economy. They own and start the markets. We need to empower them at that level.

No.10 is on access to social protection. The burden bearers in poverty are women in rural areas. When the children are sick, starving, when there is no water or electricity, who carries the burden? It is the women. When we set up social protection, looking after orphans, getting healthcare for the sick, we should be aware that the people who carry these burdens are women. So, we should involve them on that.

Call to Action No.13 says: “Set up a framework for localised and decentralised mechanisms”. Nothing works if it is not monitored. Therefore, we must put in place a monitoring mechanism and this must be streamlined in all the ministries.

The issue of widows has been talked about. On availability of comprehensive services for women and girls affected by violence, we have to realise that now it is a real agenda issue and even men are affected. I call upon Hon. (Ms.) Wahome to ensure that all the calls to actions in the Report are mainstreamed in the various ministries, through KEWOPA. They should be developed into policies and then into programmes that can be implemented. We will then have a meaningful outcome to these meeting that we attend like the CSW. Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Let us hear the Member for Kwanza.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you Hon. Temporary Deputy Speaker for giving me this opportunity. I have been sitting here because I wanted to listen. I challenged Hon. Wahome when she came over here that ladies are their own enemies. When she was moving this very important Report, I only saw three Members of Parliament of the opposite sex. You can see for yourself, Hon. Temporary Deputy Speaker that, in fact, there are more men in the House than ladies, who should have helped us to advance this Report. I have four daughters who I want to benefit from this. This is a very important Report. I have looked at it and I support it because I know it will eventually affect my daughters when I leave this House. The ladies are not here!

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Member, you cannot say that.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): If that is offensive...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, Hon. Member. You even understand the ratio of women to men in the House. We appreciate, but can you carry on with your debate? This Report is not for ladies only. It is for Kenyans and Members to adopt.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): As I support the Report, I want to speak my mind. We have a court case on gender equality filed by the civil society, which are busy bodies, and any time, this House can be dissolved because of that case. That is why I am concerned about this Report. That is why it is important that we look at it in relation to posterity.

The Report is okay, but I want to pose a question, but Hon. Kiuna and Hon. Nyikal have left. I wish we would have had five or 10 male Members on the trip to New York to convince us. I would not have gone. Let the ladies try to advance their case. It will be supported. That is something to note.

Apart from the case in court, I challenge the ladies. We have done much. In the Arab world, we read in the media - and I have been to Dubai - that ladies are not allowed even to drive. It is just the other day that ladies were allowed to drive in Saudi Arabia after they won a court case. We have done a lot, but we still have more to do.

As I said, with no regrets, ladies, let us face the reality. Apart from Hon. Alice Wahome, who is here and two other ladies, the rest are not even interested.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Member, you cannot see the other lady Hon. Members?

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): I see Hon. Shaban. She is here because she is a leader.

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): There is a point of order from Hon. Naisula.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): I do not need a point of order.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, Hon. Member. You cannot run the House. It is not a point of information.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, hon. Member! You cannot run the House. It is not a point of information. You are a second term Member here. You cannot say you do not need a point of order. It is a point of order being raised.

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): Hon. Temporary Deputy Speaker, is the hon. Member in order to continue misleading this House and Kenyans who are watching? Since he started his contribution, he has continuously said that he can only see two or three female Members while we actually have over 10 female Members of Parliament in the House. He is misleading this House.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Temporary Deputy Speaker, I am just trying to incite them so that they can do better. It is not in bad faith. It is just to encourage them to do better than what they have done.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order! There is an intervention by the Mover, the honourable Member for Kandara.

**Hon. (Ms.) Alice Wahome** (Kandara, JP): Hon. Temporary Deputy Speaker, is it in order for the Member to ignore the direction you gave that this Report is not a female Members' Report? It is now the property of the House and every other Member is expected to be here. That is why Members are here.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): As I said before, this is not a Report for the women Members; this is a Report for the House. It is an asset of the House now.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Hon. Temporary Deputy Speaker, I know this Report is the property of this House. It was on a light touch. I was just trying to tickle our good female Members of Parliament to do better. If that is offensive, I am sorry about it but I am saying the reality because I have my own daughters who I want to benefit from this Report. Therefore, I have no regret.

With those few remarks, I support the Report.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The Member for Kiharu, Hon. Nyoro Ndindi.

**Hon. Ndindi Nyoro** (Kiharu, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support. First of all, it is very refreshing that even the Chair of this House during this debate is a madam Speaker.

Looking at where you are seated, I am happy because of the strides we have made in this country. Even where Clerks-at-the-Table sit, we have a 50-50 per cent balance. We have Oscar and the beautiful lady on his left. That shows that this country has moved away from the bias that was there before.

I also have a personal interest in supporting the matter about women. In our nuclear family, other than my father, all the rest are girls. I can attest to the fact that I could never have been raised in a better family than this one; being surrounded by my sisters and, of course, my mother and all the other people of the opposite gender.

On this, if there are lucky people in this country – because they are few and men are always fewer - Hon. Kioni is one of them. He is lucky to have travelled with our women. He has

learnt immensely from them given the fact that a bigger percentage of the people we represent are women. Therefore, learning from them goes a long way into sharpening us on how to handle the majority of our electorate.

I also rise in pride as I support this Report. Where I come from, the cradle of one of the biggest communities in Kenya, that is Kikuyu, we have led from the front. I come from a county with seven constituencies. Surprisingly, out of the seven constituencies, we have three elected women MPs. Among them, of course, is the Mover of this Report who is serving her second term. I can see Hon. Wamau is elated because she is from my county, Murang'a. This shows that we are moving to greater heights in terms of the balance between men and women.

I schooled in Kenyatta University. When I joined it in the first year, there was a female Vice-Chancellor. Those who know Kenyatta University will tell you that it was more of a desert than a college almost in everything; from academia to landscape. Our VC, when I was in first year, was Prof. Mugenda. She transformed that institution into a leading University that it is in the world now. From her leadership, I can attest that what men can do, women can do better.

Hon. Wanyonyi, who is making noise over there with Hon. Passaris, kept on repeating that we have fewer women in the House at this hour. Statistically, it goes without saying that women are a smaller percentage compared to men in this House. Instead of lamenting that we have fewer women in the House, the honourable thing to do is for him to pave way for a woman MP in his constituency. We cannot continue talking about women empowerment from the lips only. We cannot just do lip service as a country. I am happy that there are affirmative funds like the Women Enterprise Development Fund. The youth is also categorised as needing affirmative action. We also have our fund. I think we need not continue grouping...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Your five minutes are over. Let me give you one minute because you were not given the indication.

**Hon. Ndindi Nyoro** (Kiharu, JP): Hon. Temporary Deputy Speaker, I did not know my fellow man can rig my minutes. As I conclude, we have to empower our women financially. Part of the things we need to do is to reform the Women Enterprise Development Fund. As it is now, for my mother, my aunties or any of my constituents in Kiharu to benefit, they have to be in groups. We need reforms in Women Enterprise Development Fund so that even a single woman who has a business can get help.

When AGPO was introduced, it was supposed to benefit women, but we see many women being used by us men. We incorporate women in our companies so that they can get AGPO, but the end beneficiaries of tenders are men. We need to support our women even when it comes...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Member for Nyando. This is a good indication that it is not a Report for women only.

**Hon. Jared Okelo** (Nyando, ODM): Hon. Temporary Deputy Speaker, I am already being timed. It is puzzling that we are still grappling with recognition of our women in the 21<sup>st</sup> Century. The roles that are played by women in advancement of anything in the world cannot be fully underscored. When the immediate former President of the United States of America, my brother, Barack Obama, came to Kenya, he said that neglecting women or putting them off the radar in terms of development is akin to having half of your players in a field. Therefore, we, as a country, must bring our women so that our economy can be developed. The journey for women to climb the ladder has been a very long one. Even when they work the same amount of time and in equal jobs as men, they are still underpaid. They are still fully exploited. As a nation, and this is rampant within the African continent, we need to set an example as Kenya and prove to the

world that, indeed, there can be a paradigm shift and have our women play an integral part to the advancement of this country.

During the segregation in the USA, a woman started the agitation for the civil rights movement. This was none other than Ms. Rosa Parks. She left her workplace and sat in a bus. It was a tradition that when a white man or woman showed up, a black person left the seat. She refused. When she was confronted with this issue she said in a smattering English: “My feet is tired, but my soul is strong.” It reminds me of the many things our women go through in this country and many other places, particularly the rural folks. They have to contend with so much. They will always remain true to the core without lamenting and complaining. Examples are so many. Our women have remained the unsung heroines of this country. It is high time we moved as a nation to embrace them fully so that they can play a pivotal role to our development. Our Constitution pays credence to the role of our women and need to incorporate them in leadership and other spheres.

As somebody alluded here, there is a matter pending in court on the one-third gender representation. If we do not defend the tenets of our laws, we may dissolve as a Parliament. For this House to act as an example, it should bring many women. That is in line with Article 27 of Kenya’s Constitution on the one-third gender rule.

I remember in the year 2012, in an advisory opinion by the Supreme Court, it said that even though our Constitution was new, there needed to have a progression that would have women occupying the one third-gender representation in all spheres of our lives within a particular timeframe. They said five years. Therefore, this is a time bomb for our country. We must do whatever we can to make sure our women fully play their role.

I rise to support the adoption of the Report on the 62<sup>nd</sup> Session of the Commission on Status of Women. Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Very well. The Hon. Member for Taveta, Madam Commissioner Hon. (Dr.) Shaban Naomi.

**Hon. (Dr.) Naomi Shaban** (Taveta, JP): Thank you, Hon. Temporary Deputy Speaker.

I want to start by congratulating the head of the 2018 delegation to the 62<sup>nd</sup> Session of the Commission on Status of Women conference at the United Nations in New York. Human rights are women rights and women rights are human rights. You cannot separate the two. You can only look at them and read about them from the same page.

I call upon my colleagues to embrace the fact that if women are not empowered then, certainly, the whole country will be lagging behind in terms of development and decision-making. So, I celebrate the following people: Our President, His Excellency President Uhuru Kenyatta for embracing the fact that women are very important and that they have to be at all levels of decision-making. I think there is still room for improvement. So far, so good. I think he has done very well.

In terms of what he is working on in the Big Four Agenda, if you look at it and the fact that he talks about universal healthcare, it is the woman who carry more burden in a family. That being one of the Big Four Agenda, it is good. He did not start today. He earlier on put in an issue of free maternity in the Jubilee Government. It has worked very well. I celebrate him. I also want to celebrate him on school fees. The fact is that school fees has been a big burden to parents. I know the Government is still working on it to streamline some of the teething problems which are there. I believe that he is going to succeed in what he is set out to do. Most of the parents, especially mothers, carry this burden. Fathers pay school fees but mothers are the ones who

worry when part of school fees is not paid. Mothers run around to deal with that. This is something that has really worked very well for the women in this country.

I also want to celebrate our Deputy President because, being the principal assistant to the President, it was not going to be realised and implemented fully if he had not given support and agreed with what the President set out to do. I celebrate him. I celebrate the two of them. More so, for making sure that our party has quite a number of women elected to this House from constituencies.

By the way, I will not want to blame Hon. Wanyonyi. When he looks at women elected from constituencies, maybe he tends to forget we are women – of the female gender. Maybe he thinks we are men like him. To tell you the truth, I think he gets a bit confused. It is important for him to realise that women have been elected here and that the more we work together the more the goals of our Constitution and women rights in this country will be realised. We have been celebrated all over the world because of AGPO. Cabinet Secretaries of our ministry in charge of gender affairs have received several awards for AGPO. It is a tool for empowering women. This would not be realised without effort. I thank the leader of the delegation because this has been flagged out as a call to action. The issue of training women, the youth and persons with disabilities on procurement so that they can be empowered is a good thing. I would have had quite a bit to say but time is too short. I think we are headed somewhere.

Finally, I want to celebrate the former Prime Minister, the Rt. Hon. Raila Amollo Odinga.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I give her one minute to celebrate him.

**Hon. (Dr.) Naomi Shaban** (Taveta, JP): He is one of the people who are the forefront of gender sensitivity. He is among the people who have really tried to embrace women in leadership. He ranks amongst some of the top men in this country who have embraced women without hiding behind the scenes; men who know that it is important to have women at decision-making levels.

With those few remarks, I will also celebrate my colleagues who are gender sensitive. Thank you very much. I support this Report and the calls to action.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I know you are also celebrating yourself.

The Hon. Chepkoech Joyce, Member for Bomet.

**Hon. (Ms.) Joyce Korir** (Bomet CWR, JP): Thank you very much, Hon. Temporary Deputy Speaker. I want to thank Hon. Alice for bringing this Report to the House on behalf of the Chair of KEWOPA. I was lucky to be part of the delegation. I want to congratulate the Members of Parliament who have contributed to this Report. I want to also congratulate and thank the Government for its achievements on gender so far. I just want to say that there are a number of issues that have been raised by Hon. Members pertaining to the call for action within the Report. One of them is to build capacity of the national Government and the county assemblies in mainstreaming gender responsive budgeting, economic decision-making and service provision at both the national and county governments. The reason I want to speak to this is because this is where in a number of instances we have felt that the Motions that we bring are supposed to be implemented. The only time to actualise this is during the budget-making process. Recently, Hon. Members were discussing the issue of integration of rehabilitation centers. All these can only be actualised during the budget-making process. This is the only way that we, as the women of this House, can have our priorities right in terms of the projects that



need to be done in a financial year, so that when it comes to budget-making, we are at the forefront of ensuring that the agenda is actualised.

There are issues on the Big Four Agenda that the Government is trying to implement. I am calling upon the Government to ensure that the provision of the 30 per cent that has been given to the women and the youth is looked at to ensure that women and youth of this country benefit. I believe that is the only way that we can build them economically. There is also the issue of gender representation that we have been raising in this House to an extent that one of the Hon. Members is trying to bring a Bill so that some of the constituencies can be curved out for women. This Bill will come but before it lands on this Floor, I will oppose it. We are equal. We have to fight for everything in this world. We need to prove that we are able even with positions that we have in the constituencies, especially those of us who have been given the opportunity to serve; we should have something that we can show to the members of the public. Otherwise, there is a crucial call for action on No. 25 that is prioritising Widows Bill.

This Bill talks of protection of widows' rights. This is one crucial Bill that needs to be looked at. Widows who were married by men who were working for the Government have problems following pension but a time will come and we will have to deal with this issue once and for all, to assist these widows.

I do not want to say much, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I now call upon the Mover to reply.

**Hon. (Ms.) Alice Wahome** (Kandara, JP): Hon. Temporary Deputy Speaker, I have about 15 minutes. I will donate two minutes each to Hon. Mary Waithira, Member for Maragwa, Dr. Tuitoek from Mogotio, Hon. Kathambi and Hon. Sophia Abdi.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I will start with Member for Mogotio.

**Hon. Daniel Tuitoek** (Mogotio, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion on the Commission on the Status of Women. Personally, I would like to say that the role of women in society and households cannot be understated. It is important to promote gender equality. Kenya has made significant strides on women empowerment. In all our sectors, we now demand that women are represented. In almost every decision being made, women must be there. I remember the quote from Obama which said that any nation that does not educate its women will not succeed. Kenya is not badly off in this area. Right now we should emphasise the education of women in our primary, secondary and even tertiary education. Many women are now making headway in being Chief Executive Officers. We would like to celebrate many women who have become Vice Chancellors like Prof. Olive Mugenda of Kenyatta University. We are making headway and several women are now Principal Secretaries and we would like to thank the Government for that. As I wind up because of time, I would like to say that I support this Motion and request that we all support it.

Thank you very much, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Mary Waithira.

**Hon. (Ms.) Mary Njoro** (Maragwa, JP): Thank you, Hon. Temporary Deputy Speaker for considering the time donated to us. I want to support the Report and echo the voice of majority of the Hon. Members who have contributed. It is good to know that this Report, as many have said, was not meant for support of women only, bearing in mind that all the honourable men that we have here are associated in one way or another with women and they have also given birth to girls who will later grow up to become women like us. I want to

appreciate the Government of the day because right from when this country got Independence, the current President has supported gender-related Bills and has assented to them and that is why we have come this far.

I want to appreciate the Government of the day on Uwezo Fund and the Youth Enterprise Development Fund that have been created to see to it that women are empowered in urban and rural areas. Let me also appreciate the Government for appointment of women to various positions such as Cabinet Secretaries, Principal Secretaries and also chairs of various departments and parastatals. It is worth noting that if the call for action on all that has been enumerated in this Report is executed, we will need to continue looking at issues related to gender. It is also good to do away with the attitude...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The other beneficiary is the Member for Njoro Constituency, Hon. Chepkwony Kathambi.

**Hon. (Ms.) Charity Chepkwony** (Njoro, JP): Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this important Motion on the matters of delegation of the 62<sup>nd</sup> Session of the Commission on the Status of Women. Let me start by joining my colleagues by saying that we can never ignore empowerment of women. I would love to support what our colleagues said that empowering a woman is like empowering a whole nation. I would like to appreciate what the Government has done so far.

Today we have women CSs, PSs and CASs. We also appreciate what the Government is trying to do on matters of empowering women in the grassroots. Though we appreciate that, we also know that the girl-child in some corners of this country is affected in education because of water challenge. We need to narrow the gap between the girl-child and the boy-child. Therefore, I support this Motion. It is good to empower women. We have previously seen women who did fantastic work. We cannot forget the late Wangari Maathai, who did fantastic work on environmental matters. Therefore, empowering women is going to empower the nation. We appreciate any action that the Government takes to make sure that women are empowered and they have more opportunities.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The last one is the Member for Ijara, Hon. Noor Sophia.

**Hon. (Ms.) Sophia Noor** (Ijara, PDR): Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to contribute to this very important and special report, which touches my heart. I have been in the heart of women empowerment for many years, and I have gone to CSW many times. My sisters who went to the CSW this time round, I want to congratulate you. You represented us well. Congratulations. This Report itself shows that you have done a marvelous job in representing us.

Our Government must be serious in empowering women in this country. That is what we are asking. Yes, they have done something; we are happy; at least there are things moving; we are not like before. But we need serious Government resources put into women programmes. We want to support His Excellency the President on the Big Four Agenda, as women in and outside this Parliament. However, we are asking him, because of his love for women, to develop a framework that can involve all the women in terms of participating in the Big Four Agenda in this country. If you look critically at all the contracts that have been awarded in this country, there is no major one that has been given to any women. There is no contract that has been given to any woman who comes from Ijara. We need to empower women. We need to involve them. We need to critically do civic education in this country, so that women from all corners understand. I am just from Gatundu North, where we celebrated with...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The donation was two minutes, but we have heard you that you were celebrating with a colleague in the Huduma Centre.

**Hon. (Ms.) Alice Wahome** (Kandara, JP): Thank you, Hon. Temporary Deputy Speaker. I was aware that Hon. Sophia was in Gatundu North Constituency with Hon. Wanjiku Kibeh, representing us there at the Huduma Mashinani Services. We support that particular project. It is doing a lot.

I rise to reply to this Motion. I have listened to various contributors and very important issues and concerns have been raised by Members. The call of action has been referred to. I want to go through four issues they have raised.

On the question of single mothers, Members have applauded the fact that we are calling for a Widows Bill to be enacted, which was one of the outcomes of the CSW. That means any Member could pick that issue and run with it. The case of early pregnancies has been raised, where underage girls sometimes get impregnated by relatives and men who are the age of their grandfathers and fathers. We need to eradicate that practice. They are called traditional practices, but most of the time they are criminal activities. They do not sit well with protecting the girl-child. We have also seen cases of the boy-child. It has been noted that we need to include men and boys in the empowerment of women. We should not be speaking to the converted; we should be speaking to those who we want to collaborate and partner with, including our spouses, friends and boyfriends.

The call to action numbers three and nine have been noted as critical. Somebody has talked of the Witness Protection Act. The Member for Nyandarua has referred to several success stories in terms of gender-friendly legislation that has been enacted such as the Gender Violence Protection Act, the Sexual Offences Act, the Marriage Act and the Matrimonial Property Act. The Government has been urged to take up the case for most of the calls to action to be brought to the level of policy documents, so that the documents can inform the way forward, the planning and the implementation of some of the laws. We have good policies, as somebody has said, but implementation has been a challenge considering when the Beijing Call for Action came into being and the follow-up meetings, including the Nairobi Conference, and the Beijing Plus 5. Many Members have participated, including men from this House.

I want to join those who are congratulating the CSW delegation of this year, facilitated also by the Ministry of Public Service, Youth and Gender Affairs, to have come up with this Report with the support services of the team from this Parliament. I am told that it is the first Report to be tabled in the House and to be debated despite the fact that CSW meetings have previously been held and this Parliament has attended. No report has had its day in the House. This is the first one, so it should be noted.

The questions of wealth, school fees, cash transfers, employment for women, equal pay for equal work and others should be coordinated under a proper framework, like the Member for Ijara is calling for. There has been interest in the contributors. Members have shown sufficient support for this Report and I acknowledge it.

Hon. Wanyonyi said that women are enemies of themselves; the pull-her-down syndrome. We want to disabuse the Floor and Members of that saying. We call it a stereotype. These statements made by Hon. Members sometimes like Hon. Wanyonyi, should not be repeated and must be negated by this House. Although we recognise the need for women to work together, we are stronger together than working alone. That we can accept and reject those kind of stereotypes. We are urging Hon. Members like Wanyonyi to support women to come up

including those of his own constituency. He said he is a father of daughters and his daughters should not be hearing those kinds of statements, but I appreciate the fact that he nevertheless supported the Report.

We cannot compare ourselves with the Arab world. We want to compare Kenya with the best. We have been a reference point in some of the initiatives that the Government under His Excellency Uhuru Kenyatta has come up with, especially the 30 per cent which is a showcase reference point. The Huduma centre services have earned various awards world over. I think even the proposal by the National Treasury to merge the Women Enterprise Development Fund, Youth Enterprise Development Fund and the Uwezo Fund may not be necessarily a very good policy because Women Enterprise Development Fund which is an economic empowerment fund is working extremely well. I think it could have been better to leave it the way it is because all the structures are in place. Women are borrowing and repaying over 100 per cent.

As I wind up, I want to acknowledge the support this Motion has received. Hon. Temporary Deputy Speaker, you have guided us well from your seat and I am happy that I am moving it when the Hon. Temporary Deputy Speaker is the Hon. Member for Kibwezi East Constituency for a second time. We want to have more women sitting in the places that we are. Hon. Lesuuda, thank you very much for supporting and we know the challenges you faced to come to Parliament. Hon. (Dr.) Nyikal made extremely good points, Hon. Ndindi Nyoro, the youth Member from Kiharu Constituency has very good insights. Thank you Hon. (Prof) Oduol, Hon. Kathambi, Hon. Faith Gitau, Hon. Sofia Abdi, Hon. Wanyonyi, Hon. Esther Passaris, Hon. Nyenze, Hon. Jared Okello, Hon. (Dr.) Naomi Shaban. Hon. Joyce Korir, Hon. Mary Wamaui and Hon. (Dr.) Tuitoek from Mogotio.

I may have left out a few Members that I did not pick their names but they are on HANSARD. I thank all of them for supporting this Report and I beg to move.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Thank you, Hon. Member for such a good presentation. Members, I am not able to put the Question to the Report and so I do order that it be put in the next sitting at the most appropriate time. I also remind the Hon. Member that it is East Kibwezi. That is my constituency in Makueni County.

Next Order.

REPORT ON EAST AFRICAN COMMUNITY BILLS  
AND RATIFICATION OF PROTOCOL

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Select Committee on Regional Integration on Consideration of the East African Community Counter Trafficking in Persons Bill, 2016; the East African Community Cross Border Trade in Professional Services Bill, 2017; the East African Community Prohibition of Female Genital Mutilation Bill, 2016; the East African Community Retirement Benefits for Specified Heads of Organs Bill, 2015; and the East African Community Youth Council Bill, 2017, and the Protocol on Cooperation of Meteorological Services, laid on the Table of the House on Thursday, 14<sup>th</sup> June 2018 and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012, approves the ratification of the East African Community Protocol on Cooperation of Meteorological Services.

Thank you, Hon. Temporary Deputy Speaker, for your guidance. After we considered the Bills, the Committee resolved to await the reintroduction of the Bills in the Fourth Assembly of the East African Legislative Assembly (EALA) and thereafter once the Bills are brought before the Committee, we will look at them in depth, since most of them had lapsed and were waiting re-introduction in the Fourth Assembly.

The Committee further resolved to wait for the Ministry to forward the versions forwarded for assent of the East African Community Counter-Trafficking in Persons Bill, 2016 and the East African Community Prohibition of Female Genital Mutilation Bill, 2016, before it could give its input since they were the only two Bills that were passed in EALA and were waiting assent.

Therefore, I will take some time to discuss the Protocol. The Committee considered the East African Community Protocol on Cooperation in Meteorological Services and noted that the Protocol is premised on Article 5 of the Treaty for the establishment of the East African Community providing for the objectives of the Community which are among others, to develop policies and programmes aimed at widening and deepening the cooperation among partner states.

The Protocol is founded on Article 100 of the Treaty providing for the need for each partner state to collect and disseminate meteorological information as well as to exchange information and expertise concerning new developments in meteorological science and technology. It is important for this House to acknowledge how important it is for East Africa to share timely and effective weather information that would alert individuals, organisations and even communities that border these countries about likely weather hazards. We can put in place measures, as a result of the shared information, that can actually help us in case of any adversity.

It is also very important for us to share this information because it actually works as early warning system that can be used to avert calamities. We can also use the information that is shared to give advisories and alerts for severe weather and extreme climate events for purposes of ensuring food security. If one country is able to detect that in another country or even our country we are going to have severe drought, then we are able to put in place measures to see how we can deal with issues, especially of food security across the region. Sometimes we graze our animals in bordering communities, especially in Kenya and Tanzania where we have the pastoralists. We can avert issues like what we saw when livestock from the Kenyan side of the border crossed over to Tanzania and all the cows were mopped up and sold. If we share such information, say, with Tanzania then they will be aware that we are going to have drought. They would then understand when our pastoralists cross over to look for pasture and water in their country.

It is also important that we share information on issues to do with ocean-related phenomena and volcanic and transboundary pollution. When we adopt this Protocol, then as countries of East Africa, we will be able to share this information. We also have the provision on identifying locations most affected by hydro-meteorological disasters. Once we adopt this Protocol and the other countries of East Africa adopt it and it is ratified, then we will be in a position to share this information.

We are also able to facilitate pooling and mobilisation of resources and development of regional meteorological institutions. We know that as a country, we are actually way ahead and we are placed much ahead in terms of our meteorological services. This year, we have seen that most of the information that our meteorological department has been giving us has almost been precise and very accurate. Even as a country, we can use this information and our expertise to

enable the region develop a regional meteorological institution where now we can all share that information as the East Africa Community.

The Committee saw that the Protocol seeks to mandate the partner states to co-operate in data processing and analysis and to exchange meteorological data and information. Also, the aviation industry could benefit from the information and data by using it for planning and scheduling of flights to avert a lot of inconveniences to travellers across the region. The Protocol also provides that the partner states shall harmonise their laws and policies on meteorology once this House passes and adopts the Protocol. While considering the Protocol, the Committee noted contents of the memorandum to the effect that the processing and analysis of data was important for safety of navigation and that it was only through a reliable meteorological data that navigation of data processing was possible.

As I conclude, it is important to note that partner states are expected to co-operate. I must say that Kenya has been doing a fantastic job in terms of collaborating and co-operating with the other member states. It is our hope as the National Assembly in Kenya that our partner states will also co-operate not only on this Protocol but on the many issues that are agreed on at the council level and even by the Heads of State. I have no doubt in my mind that Kenya will co-operate and will be more than willing to share much more information and even help in terms of putting up the requisite institution. So, the Committee resolved to support the Protocol as it is since it will help in fostering better regional integration in matters related to meteorological services.

Therefore, the Committee recommends that this House ratifies the East Africa Community Protocol on Cooperation of Meteorological Services. I beg to move and ask Hon. Richard Onyancha... Sorry, Ochanda will second the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I was just laughing at the way she pronounced his name. He is Hon. Ogolla Ochanda, Member for Bondo.

**Hon. Gideon Ochanda** (Bondo, ODM): I think she still did not get it right. Of course, we have had Onyancha in this House before and the names are fairly close, including the geographies where we come from.

Hon. Temporary Deputy Speaker, I rise to second the Motion and as has been mentioned, there are a number of things that we need to look at. One is that the Bills that we are talking about lapsed. That is most critical. They are Bills that lapsed and the House really needs to look forward in terms of whether these Bills are going to be re-introduced at the East Africa Legislative Assembly (EALA) or not. If they are, there are number of things that we really need to start looking at beforehand.

Out of the four Bills, I might want to talk to two that are raising some very important issues. There is the East African Community Cross Border Trade in Professional Services Bill. That Bill is so critical based on the kind of experience that we see. We are seeing in some of the partner states either professionals or people who are doing their own business are in a lot of problems at the moment. You have seen this in Tanzania. People are being hounded for issues of work permits and all manner of things and in this Bill, there is a provision that I might want to really alert the Members of this House that we really need to look forward to because it is likely to help us a great deal.

This Bill creates something that we call the East African Professional Disciplinary Committee, which has the mandate to address complaints against professionals that arise from cross border trade in professional services within the EAC. So, it, therefore, means that in the Bill there are areas of redress. So, when you have a problem in a partner state and you are a professional, this law will cater for you. We have a lot of Kenyans working outside this country

in our partner states. I think Rwanda is really proud of what Kenyans have done there in terms of the professional disciplines like IT. They are really ahead of Kenya in many respects but when you get the story of what is happening behind doors, you realise it is Kenyans that are doing it. There are a lot of Kenyans in Uganda and Tanzania but many times they are threatened. There are all manner of threats issued to them in terms of why they are there and also the issue of work permits. So, this is an area that I believe this House really needs to look at, particularly when the Bill is reintroduced at EALA.

The East African Community Retirement Benefits for Specified Heads of Organs Bill, 2015, lapsed but it touches Kenya on the negative side. It talks about the high level positions. It does not talk about retirement benefits for the others. The drafters of the Bill believe that there is another arrangement for the juniors. After the collapse of the initial EAC, there are Kenyans who were not paid their retirement benefits to date. I remember that this issue was brought here in the last Parliament. Very many retirees, especially those from Kenya, who worked for East African Railways and Harbours Corporation, were not paid. The other partner States, Tanzania and Uganda, paid them. Kenya did not pay them. I remember that the matter went to the Attorney-General and court and it has been back and forth. We did not pay them. When that issue goes back to the regional Assembly, it is important to be very careful because we, as a country, are likely to be mentioned adversely because we did not pay some of the retirees of the defunct EAC.

As it has been mentioned ably by my Chair, the gist of the Report is to approve the ratification of the EAC Protocol on Cooperation of Meteorological Services. When the House approves the ratification of the Protocol, it means that we will give our departments the space to proceed and implement it. It has many other things. It has a lot, in terms of sharing meteorological information and the weather issues. There are parts of our countries which do not have a weather station. For example, in Turkana or Mt. Elgon, you must rely on a network that is on the side of Uganda. These are some of the things that are brought here. We will be sharing some of this information because it is important. That is exactly what informs how we do things.

The memorandum that is appended in the Report from the Ministry of Environment and Forestry has alluded to this. When we are talking about meteorological issues, part of it or what we are targeting in it is food security, improved water resource management, disaster risk reduction and better health. Some of these things are so critical when we look at sharing information and plugging it into systems that can let us know what is happening around us. This will be very important. Kenya has been providing information to Tanzania for a period of time. I do not know whether some of us remember that the President of Tanzania recently launched a big system for their radar networks in Julius Nyerere International Airport in Dar es Salaam. Initially, they were relying on Nairobi and Arusha.

Hon. Temporary Deputy Speaker, I support the Report and second it.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I can see seven requests. Out of the seven requests, there are two Members, especially Member for Mwingi West, Hon. Nguna Ngusya, whom I cannot see where he is seated. I can also see an intervention by the Member for Nyando, Hon. Okelo Odoyo. Are you on an intervention or do you want to contribute?

**Hon. Jared Okelo** (Nyando, ODM): I want to invoke the provisions of Standing Order No. 97. Whereas this is a weighty and very important Motion which is Report on Four EAC Bills and Ratification of the Protocol on Cooperation of Meteorological Services, it is my proposal under Standing Order No. 97 that we limit the duration of debate from 10 minutes to 5 minutes per member, so that many Members can have an opportunity to delve into this matter. Before the time for the adjournment of the debate, every Member can put some effort on this important Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The Member for Nyando is in order.

**Hon. Kassait Kamket** (Tiaty, KANU): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): You cannot be on a point of order on top of another one. Member for Tiaty, please allow us to address the point of order which was raised by the Member for Nyando. He is in order to invoke Standing Order No. 97 on limitation of debate. I will put the Question to the Members to make a decision. He is proposing that we limit the time for debate from 10 minutes to five minutes.

**Hon. Kassait Kamket** (Tiaty, KANU): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Kamket, do not interrupt me. You are out of order. I want to put the Question on the limitation of the time of debate, pursuant to the provisions of Standing Order No. 97 as invoked by the Member for Nyando to reduce the time for debate from 10 minutes to 5 minutes.

*(Question, that debating time be reduced, put and agreed to)*

I can see that Hon. Kamket wants to contribute to this Motion. He will get his time to contribute.

Hon. Members, pursuant to the resolutions of the vote you have just taken, we will debate this Motion for five minutes instead of 10 minutes. The first Member on the list is Member for Nairobi County.

**Hon. (Ms.) Esther Passaris** (Nairobi CWR, ODM): Thank you, Hon. Temporary Deputy Speaker. I stand to support the Motion. When I was listening to the debate, I understood that quite a number of the Bills have lapsed. I sincerely hope that they will be looked into and brought back into force.

We had a case in Kamukunji, Nairobi County, recently. Somebody in the social media reported about a young boy who was on the streets without legs begging. He wanted us to help him. I sent my team to find him. When we found him, we went to her house in the slums. We met with the people who were housing him. He was being used to beg. It did not come to our attention at that time that this boy was trafficked from Tanzania. We placed him with children welfare services. The woman who housed him said that she was the mother but the children welfare services took him for a Deoxyribonucleic Acid (DNA) test with the woman and the test was negative. She is currently at Lang'ata Women's Prison. That made me aware of the fact that we really need good relationships with our neighbours. When you have a situation like that, then we need cooperation among the countries. We need to synchronise our laws on trafficking. It is obvious that quite a number of citizens bring disabled children to Nairobi and use them to beg. Those children are not given parental care. They are rented out in spite of their disability. That can be solved if we have Bills ratified by the East African Community member states.



Hon. Temporary Deputy Speaker, I would like to comment on the weather patterns and on what Hon. Naisula said happened when we had drought in Kenya and our cattle were moved across our border with Tanzania. We need to have good relationships in the East African Community. We need to be understanding and help each other so that we can grow economically and develop the region properly. We also need to have movement of labour because there are talents we have in Kenya that may not be in Uganda or Tanzania. If we all cooperate, we can exchange ideas and improve the region. There is need for not only East Africa to cooperate but also to get it right. If we do that, we will get it right in Africa.

Recently, I sat in a conference of trade unions where the whole of Africa was represented. They discussed labour issues, climate change and women empowerment in the labour movement.

This is an important Motion. I thank the Mover for bringing it to the House. I support it.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Member for Mogotio, Tuitok.

**Hon. Daniel Tuitok** (Mogotio, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion. I know there are several Bills, including the one on cooperation of meteorological services. I would like to talk about meteorological services and their coordination within the East African countries.

The importance of meteorology cannot be underestimated. Weather patterns cause havoc to our livelihoods in this part of the world. We periodically get cyclic drought patterns. Specifically, people who come from the parts of Rift Valley where we have pastoralist and farmers know what I am talking about. We rely on rainfall and rainfall patterns. Climate, as an instrument of survival, is being threatened by climate change. Therefore, coordination of weather patterns, sharing weather data and analysis, especially the extreme climate aspect of it, is very important. It goes a long way in preventing a great loss of crop and animal survival.

This Protocol, which calls upon the East African counties to share information, will promote effective early warning systems, which will safeguard various aspects of things like major air patterns, safety and efficiency of air transport navigation and public safety, including effective telecommunication. Therefore, this Motion is quite important. We should give it a lot of attention because it will address several aspects of climate change and even give us an idea on focused models, products and other services which are geared at giving us a better understanding of weather patterns in our nation or region.

There is also the aspect of harmonisation of policies and regulations on meteorology to achieve the intended idea of sharing better information on weather and other aspects.

With those remarks, I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Oduol Odhiambo.

**Hon. (Prof.) Jacqueline Oduol** (Nominated, ODM): Thank you Hon. Temporary Deputy Speaker. I also rise to support this Report of the Select Committee because it touches on Bills that we might not immediately get to see the way they significantly affect us depending on whether we are male or female and, therefore, some of the roles that we play.

I particularly want to speak to the aspect of meteorological services and the protocol on dealing with meteorological services. As has been indicated, we are here talking about issues that affect weather and climate change. In particular, I would like to support this Report because it is one that will provide a very practical framework that would enable not only the availability of information on access to services like the number of cloudy days and weather in a particular

place. It would also determine whether or not we are getting information equally depending on whether we are women or men.

As I conclude, it is extremely important that when we look at issues such as food security, we need to know that information at times is available but is not presented just on grounds of gender. When we look at disaster risk reduction, we see that there are cases of untold tragedies because we have found that as a result of rules or traditional understanding of roles of women and girls, we have had very difficult issues.

This is a Report that will enable us build our capacity not to limit as we saw this afternoon conversations to women but to see that we are talking about water resources, public health, meteorological information, men and women, boys and girls, and how our community works.

With that, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Member for Tiaty, Kamket William.

**Hon. Kassait Kamket** (Tiaty, KANU): Thank you, Hon. Temporary Deputy Speaker. I also rise to support the Motion. In supporting this Motion, we as the people of East Africa have no choice but to cooperate truly.

Cooperation on meteorological services is key in terms of our development as a region. However, there is a problem that we must address as the people of East Africa. Even as I support this Report, it is time the leadership from the Summit to the Council of Ministers, to us as parliamentarians and to the people of East Africa, stopped living a lie. I am saying this because the East Africa Community is generally ...I understand the problem of diplomacy. That is the problem that faces all manner of cooperations all over the world. If there is a community that has stagnated over the years, it is the EAC.

Even as we speak here, partner States are not contributing what they have to, to the Community. There are a lot of arrears in terms of delayed remittances to the Community. Now, many activities of the Community have stagnated. You wonder what it is that we want to achieve as a region.

If you look at those contributions, from the time we began cooperating in 1999 up to now, you will realise that we have had three stages of cooperation. The first one was the Common Market. How sure are we, as a people, that the Common Market is being fully implemented? Are the businessmen and Kenyans able to move to other regions freely? Are we free to move to our neighbours in the south? Are we free, as a people, to do business and work? It is time to stop living the lie that we are living as the people of East Africa.

Even for those little contributions we are supposed to make as a region, from 1999 up to now, the figure that partner states contribute has remained the same. Which other body would operate in such circumstances? The figure that was agreed upon in 1999 is the same one today. We even fail to remit our obligations on time yet we expect the East African Community to grow. How does it grow when we are starving it of finances? That is the problem we have and we need to address it. It is time we considered the principle of asymmetry and contributed resources towards that co-operation according to the powers we have and the sizes of our economies.

In my considered view, it is also time to consider expanding the mandate of the East African Legislative Assembly. We cannot have the EALA to merely meet. You can see the Council of Ministers deciding to bring more protocols by bypassing the EALA. Even if we are dealing with diplomacy, there is no time a protocol can be better than a piece of legislation.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Do you support or not? Give him 30 seconds to go on record.

**Hon. Kassait Kamket** (Tiaty, KANU): Thank you for your generosity, Hon. Temporary Deputy Speaker.

I just wanted to say that it is not proper for the Council of Ministers to decide to bypass the EALA and bring protocols instead of allowing the assembly to legislate.

Finally, I am saying, in very simple terms that we should grow this community and stop living the lie that we are living.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Joyce, Member for Bomet.

**Hon. (Ms.) Joyce Korir** (Bomet CWR, JP): Thank you very much, Hon. Temporary Deputy Speaker.

I congratulate Hon. Naisula Lesuuda for the Motion that is on the Floor of the House. Indeed, this is one of the Motions that I believe will improve cooperation within the EAC, that is, if it will be given the attention it deserves. The objective of the EAC Treaty was to develop policies and programmes aimed at widening and deepening cooperation amongst partner states in matters political, economic, social, cultural, research and technology, defence, security, legal and judicial for mutual benefits.

If this is going to be actualised, I believe that it is going to enhance public safety and protection of property, be it agriculture, livestock development, food security, road network, air and maritime transport. I believe it will benefit the industries, commerce and even enhance the growth for stable support of the private and public sector.

As it has been said by Hon. Kamket, if the Member states can contribute towards this ratification, it will be good for the EAC to be in a position to implement their work. Recently, I was talking to one of the Members from the East African Legislative Assembly and they were talking of a number of issues that are affecting them because many things are not up to date.

With those few remarks, I support the Motion and request the Implementation Committee to look at it so that it can be put into action.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Member for Turkana Central.

**Hon. Lodepe Nakara** (Turkana Central, ODM): Thank you, Hon. Temporary Deputy Speaker. Other regional bodies like the Common Market for Eastern and Southern Africa (COMESA), the Southern African Development Community (SADC), European Union (EU) and the Economic Community of West African States (ECOWAS) have done very well in their regions. We need to encourage such kind of regional blocs to help our people do business. When we have a Bill on cross-border trade passed, people from these countries will do businesses, services will be cheaper, they will save a lot of money and also we will improve on exportation and importation of goods within our region. This is a Motion that we need to support because it will make our youth to interact within East African region. Our youth can share ideas, information and technology. By doing so, we can make East African countries to be one and we shall have common language and technology to help each other.

When we share these services, it will enable our countries to benefit from each other. There are services which are good in Uganda, others are good in Kenya and when we have this, we shall share and we shall make each country to benefit from each other's services.

I will not emphasise so much on the issue of transportation within our region. The goods that we have in EAC are better than the ones we are getting from China or Dubai. They are

locally made. They are strong; they can be used in Kenya and Rwanda because our terrain and environment can support them since they are made within our region.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The last one on my request list is the Member for Ijara, Hon. Sophia Noor.

**Hon. (Ms.) Sophia Noor** (Ijara, PDR): Thank you, Hon. Temporary Deputy Speaker for giving me this chance to contribute to this Motion. I want to congratulate, Hon. Naisula for bringing this Report. It is timely and as you know EAC is an organ whose objective among others is to develop policies and programmes that can be shared widely across all the partner states. Among them is cooperation, sharing of information and sharing of research that has been done and many other things. That is part of the objectives of the EAC.

Meteorological services are very important. If you get the right information at the right time, it can prevent a lot of disasters. For example, meteorological department will always be advising on any disasters like heavy rainfall, bad weather, ocean disasters or if there will be a problem in the air. All this will be shared. It is, therefore, very important that we adopt this Report. I support it. The Protocol found in Article 10 of the Treaty provides for partner states to collect and disseminate information across East Africa. Sharing information is key in any given issue. If we do not have the relevant information and research, then we will not be able to do the right when planning for our development.

As a Member alluded, it is very important to share information and empower our youth, women and people living with disability. By us supporting this Protocol, we will be able to strengthen the partnership among the EAC. I want to support and leave it at that.

Thank you so much.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, there being no other request to speak to this Report, I call upon the Mover to reply. Hon. Lesuuda.

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Temporary Deputy Speaker. I wish to thank all Members who have ably and aptly put their comments on this Motion. It is very interesting that most of them are looking forward to the re-introduction of most of the Bills now that EALA is back in session and they are even anticipating debate on some of the matters that will come forth.

It is also important that most Members have spoken to the issues of cooperation and collaboration by members states. We do hope that on matters to do with weather and sharing of information and data on meteorological services, partner states will be willingly and readily sharing this information. They have also said that because this is not very controversial, we do hope that we will not see a lot of challenges. They have also noted that in most of the other areas we can see collaboration.

I would like to thank the following Members: Hon. Ochanda, Hon. Esther Passaris, Hon. Oduol, Hon. Kamket, Hon. Joyce, my counterpart from Turkana and Dr. Tuitoek and all other Members who have contributed to this very important Motion. Therefore, I beg to reply.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, again I will not be in a position to put the Question to the Motion. So I do order that the Question be put at the next appropriate time as will be indicated by the House Business Committee.

Next Order.

**BILLS***Second Reading*

## THE WAREHOUSE RECEIPT SYSTEM BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The Mover of this is the Leader of the Majority Party. Given the fact that we have tackled the two reports and since he is not in the House, it stands deferred.

*(Bill deferred)*

*Second Reading*

## THE URBAN AREAS AND CITIES (AMENDMENT) BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, the Leader of the Majority Party being the Mover, again, he may not be ready. So, Order No.13 is deferred.

*(Bill deferred)*

*Second Reading*

## THE HEALTH LAWS (AMENDMENT) BILL

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, again, this Bill is supposed to be moved by the Leader of the Majority Party. Therefore, just like the others, it is deferred.

*(Bill deferred)*

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. Members, there being no other business, the House stands adjourned until Tuesday, 21<sup>st</sup> August 2018, at 2.30 p.m.

The House rose at 6.56 p.m.