HANSARD REPORTS:

INTRODUCTION

➢ Truth Reconciliation And Justice Commission Bill
Its purpose is to promote peace justice, national unity, healing and reconciliation among Kenyans.

➢ National Ethnic Relations Bill
Its purpose is to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of different ethnic communities of Kenya and to advise the government on all aspects there of.

➢ Appropriation bill
Its purpose is to appropriate the budget and for tax measures

➢ Bill to amend chief’s act to create offices of village elders/ headmen
Its purpose is to amend the chief’s act to create offices of village elders/headmen and to provide for requirements for appointment; remuneration and related matters

➢ Constitution review section 45
Its purpose is to amend section 45 of the constitution of Kenya to provide for gender parity, regional balance and inclusion of persons other than members of parliament in the parliamentary service commission and for matters incidental thereto and connected therewith.
DATE: 26th June 2008  
LEGISLATION: Finance Bill  
MEMBER OF PARLIAMENT: Hon. Millie Odhiambo  
- Addressed measures in the bill that do not meet the objective of poverty reduction and enhancing equity.  
- Proposals on tax reduction on bread and wheat does not really help many Kenyans especially women who can actually not afford a product related to wheat and bread.  
- The Kshs. 1 m allocation on sports does not take into account gender equity. A portion of it should go into promoting girls and women soccer; they should not be encouraged to play netball too, but soccer as well.

LEGISLATION: The National Ethic and Race Relations Bill  
MEMBER OF PARLIAMENT: Hon. Martha Karua  
- It seeks to establish a National Ethnic and Race Relations Commission as a body corporate that will be charged with responsibility of promoting equality of opportunity, good and harmonious relations and peaceful co-existence between various ethnic communities in Kenya.  
- To ensure gender balance in commissions’ staff appointments.

DATE: 2nd July 2008.  
LEGISLATION: The National Ethic and Race Relations Bill.  
MEMBER OF PARLIAMENT: Hon. Millie Odhiambo  
- The bill does not stipulate exactly under what grounds discrimination is set on.  
- The constitution of Kenya section 82 outlaws discrimination on different grounds.  
- The country needs a substantive law that will address discrimination occurs under what grounds.
For example the Equality Act; UK, gives clear standards, for example, under what circumstances do you consider that a person has been discriminatory.


LEGISLATION: Bill To Amend Parliamentary Service Commission Act

MEMBER OF PARLIAMENT: Hon. Amina Abdalla

- It was to amend section 45 (b) of the constitution of Kenya to provide gender parity, regional balance and the inclusion of persons other than MPs in the parliamentary service commission and for maters incidental thereto and therewith
- She raised issues of women who attain the age of 55 years being promptly retired while their grey-haired counterparts are retained
- Also about the need for the executive to implement the 30% allocation and affirmative action that was promised in a circular, when the PSC in its eight years of existence has never had a female commissioner.
- The highest placed woman is in the (forth) fourth tier of parliament.

Date: 30th July 2008

Legislation: Bill to amend chief’s act to create offices of village elders/ headmen

Member of Parliament: Hon. Cecily Mbarire

- She contributed by saying that village elders and headsmen were men and women of integrity who had a lot of support form the village thus if the government truly recognized their important role it should not pay for the services of a consultant during the undertaking of the national census since these person have this information.
- In addition she said that the headsmen or elders also sensitized women groups about the Women Enterprise Development Fund (WEDF), and where they can get it and where to get information.
- The government should thing of how to not only pay them or how to recognize them by law but also how to make them useful to the Government in terms of information dissemination on what the government is doing and what people need to know.
DATE: 9th October 2008

Legislation: Sacco Societies Bill

Member of Parliament: Hon. Rachel Shebesh

➢ She explained that the basis of WEF should have been based on merry go rounds which had worked so well in the past.

➢ If women who had already been saving with merry go rounds, were given the model of a Sacco, the WEF would have been more productive and benefit them much more.

➢ Sacco’s teach women to save and value their savings and profits. WEF and YEF were supposed to reach the most vulnerable persons of the community; women and youth.

➢ She posed the question below to the house: When will women ever know how to run businesses of cooperatives, if they are not allowed to sit in those boards?

DATE: 23rd October 2008

Legislation: Truth, Justice and Reconciliation Bill

Member of Parliament: Hon. Prof. Kamar

➢ That Clause 9 of the Bill be amended by inserting the following new sub clause immediately after sub clause (3)- (3A) The chairperson and vice-chairperson elected under subsection (2) shall be persons of opposite gender. This is basically to bring in gender in that clause during the appointment of the chairperson and vice-chairperson.

➢ THAT, Clause 11 of the Bill be amended by inserting the following new sub clause immediately after sub clause (2)- (2A) The vice-chairperson elected under sub clause (2) shall be a person of the opposite gender of the chairperson.

➢ THAT, Clause 30 of the Bill be amended by inserting the following new Sub clause immediately after Sub clause (1) (1A) any appointment made under Subsection (1) shall be with regard to the principle of gender equality
DATE: 23rd October 2008  
Legislation: Truth, Justice and Reconciliation Bill  
Member of Parliament: Hon. Martha Karua

- She begged to move Clause 10(1) (a) to be amended by inserting the words "at least one of whom must be of the opposite gender" immediately after the word "citizens". In order to strengthen by indicating that, at least, one of the three people nominated by the Panel of Eminent Persons must be of the opposite gender.

- THAT, Clause 10(1) (3) is amended by deleting the word "equity" and replacing it with the word "equality." Again, this relates to gender.

DATE: 4th November 2008  
Member of Parliament: Hon. Martha Karua

- She supported the issues of parliamentary select committee ensuring gender and regional balance on in the person recommended for appointment as members of the Committee of Experts.
DATE: 27th November 2008

Legislation: Appropriation bill
Member of Parliament: Hon. Martha Karua

➢ She begged to move that, Clause 5 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3)- " (4) in appointing members to the commission, the principle of gender equity shall apply.
➢ This was to apply the principle of gender equity in the appointment of the Commission.

DATE: 2nd December 2008

Legislation: Biosafety bill
Member of Parliament: Hon. Elizabeth Ongoro

➢ She said that she was in support of the bill
➢ However the old woman in the village who has been totally relying on the traditional ways of preserving her seeds and replanting should be considered that old woman in the village. She inquired what measures were members putting in place for the transitional period the implement the bill?
➢ Also she asked how were they going t cushion the poor woman so that she does not starve as the new technology was being introduced.

DATE: 2nd December 2008

Legislation: Biosafety bill
Member of Parliament: Hon. Racheal Shebesh
She brought up the issue of women using cosmetics which are labeled as the riskiest form of hazard, but they continue to ingest them so that we can be light-skinned, yet no one has arrested them for doing that.

She related this to a situation whereby a Kenyan woman is likely to watch her child die because of a risk that is not even guaranteed.

She went to say that the most painful way to die is out of starvation.

Thereafter she referred to the feature on television sometime back of a woman in Baringo who was boiling some wild fruits for ten hours to get of poisonous in the fruit. Since she was so hungry she knew that within the fruit here was something that she could eat it and also feed her children.

Use of GMOs to her was not science but basic common sense and realities of what is being faced today.
MOTIONS

DATE: 2nd July 2008
Legislation: Fiscal Management Bill
Member of Parliament: Hon: Racheal Shebesh

➢ The Government should look into women issues.
➢ It is important to bring into focus what women and youths want in terms of the budget making process.
➢ The women enterprise fund and youth enterprise and development fund has not made a big impact on the lives of women thus its disbursement should be suspended until such a time after the national youth policy is debated and the priority needs of the youth are decided.

LEGISLATION: The Truth, Justice and Reconciliation Bill
MEMBER OF PARLIAMENT: Hon. Martha Karua

➢ She presented the bill

DATE: 30th July 2008
Legislation: Bill to Amend Section 45 of the constitution (motion)
Member of Parliament: Hon. Sofia Abdi Noor

➢ Hon. Sofia Abdi introduced the motion
➢ She explained that the current parliamentary service commission did not have a woman thus this needed to be remedied.
She gave the following example to put her point across better that: “If today I decided to be disorderly, and another female Hon Member decided to be disorderly, and you wanted to forcefully remove us from this Chamber, you do not have sufficient female members of staff in the Sergeant-At-Arms Department. So you will be forced to ask Mr. Wendo to get rid of me, which is a reflection of the fact that there is no gender equity in the employment of staff to serve the Parliamentary Service.

She further went to explain that the Parliamentary service Act states in Section 5(2) (a) that part of what the Commission will promote is gender equity and respect for rights and freedoms of others as one of the values of Act.

She asked how do members were expected to trickle down if the commission itself did not respect that value.

DATE: 30th July 2008
Legislation: Bill to amend Section 45 of the Constitution
Member of Parliament: Hon. Racheal Shebesh

She explained that the motion was simply targeting fairness in respect of women, young people and the diverse communities represented in this House.

The issue had been by women parliamentarian for long, and they were beginning to sound like a broken record.

Talk about the inclusion of women, people with disabilities and young people in bodies that govern Kenya including parastatals and commissions.

The President of Kenya had pronounced more than three times that appointments to any public body must contain the one-third affirmative action principle, but this principle was never observed.

She asked the members how come when the President spoke on the issue of gender parity, it was ignored?

She requested the members to take the presidents’ pronouncement seriously
In addition she said that, at times they had to go out of our way to practice affirmative action whether it is for women, young people, and people with disabilities or marginalized communities.

DATE: 30th July 2008
Legislation: Bill to Amend Section 45 of the Constitution
Member of Parliament: Hon. Millie Odhiambo

She asked the Chair to explain to the house how the proposed amendment departed substantially, because, in her view, it did not since it addressed issues of equity from a gender, regional and professional perspective.

DATE: 30th July 2008
Legislation: Bill to Amend Section 45 of the Constitution
Member of Parliament: Hon. Cecily Mbarire

She explained that the tabled motion was very critical not only for women but for all Members of Parliament.
They did not want to lose that important Motion because of just a few concerns that the Mover would have liked to take care of before she brought it back.
If the motion was lost on that day, the Mover would have had to wait for another six months before she re-introduced it.
Members really wanted to pass the motion but they wanted to take care of the concerns that had been raised by Honorable Members.
DATE: 7TH August 2008
Legislation: Motion for Adjournment
Member of Parliament: Hon. Martha Karua

- She introduced this motion
- She explained that the adjournment Motion had been agreed upon by the House Business Committee and it was in line with the calendar
- That the motion had been scheduled to be risen last previous, but an extension of one week was given to enable them to debate various legislations for which she wanted to pay tribute to the House.
- She further explained that the house had been able to pass the Second Reading of three very important negotiated bills.
- That they then had time to fine tune the amendments that were necessary during the Recess so that could take the process forward.
- Among those Bills were the National Ethnic and Race Relations Commission Bill, the Truth, Justice and Reconciliation commission Bill and the Constitution of Kenya Review Bill.

DATE: 7th August 2008
Legislation: Motion for Adjournment
Member of Parliament: Hon. Maison Leshomo

- She explained that Members of Parliament especially women had mostly been voted into parliament by person at the grass roots.
- Therefore, women that wished to talk to their MP visited them at the constituency. Hence she begged the house to go on recess.
Date: 4th November 2008  
Member of Parliament: Hon. Martha Karua  
- She supported the issues of the parliamentary select committee ensuring gender and regional balance on in the persons recommended for appointment as members of the Committee of Experts.

Date: 5th November 2008  
Legislation: Introduction of Bill to Amend Sections 58/59 Of The Constitution  
Member of Parliament: Hon. Millie Odhiambo  
- She talked about renaissance coming from Africa and the fact that she I did not know how much it would be! For instance the election of the Liberian President as the first woman President in Africa. The Rwandan Parliament that has the majority as women.  
- She further explained that certain changes must occur even as comprehensive Constitutional Review process is being awaited. For example, to enhance the number of women in this Parliament.  
- She mentioned that Kenya was going to receive a lot of attention, but Kenyans should not let it be negative because its the home of the President-elect of the USA. It should receive attention for being pioneers and overtaking Rwanda and other countries that have promoted the issue of women rights.

Date: 12th November 2008  
Legislation: Introduction Of Drug And Substance Abuse Control Authority Bill  
Member of Parliament: Hon. Amina Abdalla  
- She introduced the motion
**Date:** 13th November 2008  

**Legislation:** Motion for Adjournment - Adjournment to a Day Other Than the Next Normal Sitting Day  

**Member of Parliament:** Hon. Millie Odhiambo  

- She reminded the House about the case of the women who had been ferried to Nairobi and had gone to parliament and were tear-gassed by the police.  
- There was absolutely no excuse for the police to throw tear gas at women who were her mother's age. It was a shame for Kenya, and she hoped that action would be taken against those police officers who tear-gased the women.  
- These women were symbolically reminding MPs of the numbers of women who are still not able to go back to their homes, because they are internally displaced within their own country.  
- She thus articulated that it was important for parliamentarians to take the leading role in healing the country.
QUESTIONS

DATE: 10th July 2008.
LEGISLATION: Vote 42- Ministry of Youth Affairs and Sports.
MEMBER OF PARLIAMENT: Hon. Millie Odhiambo

➢ She commented on the Tana basin road basin project that intends to use labor intensive methods. This will definitely create job opportunities but can also provide an opportunity for abusing children and young people especially girls.
➢ A component for mainstreaming human rights, especially when they are working on labor intensive methods should be put in place.
➢ A task force was also being set up, one of the criteria it should have is that it should only allocate funds to an activity that includes both women and men activities.
➢ Kshs. 1 m per constituency or district should only be given if it promotes to play soccer.

LEGISLATION: Vote 42- Ministry of Youth Affairs And Sports.
MEMBER OF PARLIAMENT: Hon. (Prof.) Helen Sambili

➢ She thanked the minister of foreign affairs and his ministry for implementing a foreign policy that supports sportswomen and sportsmen.

DATE: 16th July 2008.
MEMBER OF PARLIAMENT: Hon. Esther Mathenge

➢ It directed that at least 30% of all the appointments and promotions in the public service women. The president reiterated in his Kenyatta day speech of 2006, that 30% of new
employees recruited into the public service and appointments to the public service and appointments to the public offices should be women.

- Appointment of permanent secretaries made on 21st April, 2008 failed to observe the said circular.
- Out of 44 PS' only 6 were women
- Ministry of gender also issued a circular on 15th December 2006 to all accounting officers to ensure that this directive was followed.
- Ministry of gender implemented and required all the ministries to have a gender desk, which should monitor and advise on gender issues in every ministry. 22 ministries have responded and 69 parastatals
- There are still serious disparities regarding the recruitment and promotion of women.
- For equality to be achieved, women have to be first economically empowered, secondly they have to give information to enable them realize and use their skills to full potential
- Gender desk is thus, empowered to disseminate information to all the women of Kenya and monitor what every ministry is doing in relation to the promotion of women and accessing information by women
- Women are the most powerful drivers of household incomes, yet they are the most affected by poverty.

DATE: 16th July 2008.


MEMBER OF PARLIAMENT: Hon. Abdalla Amina

- The question should be deferred and take to the office of the prime minister, so as he can answer effectively given that it covers more ministries than that of gender and also considering that he had promised to give women 50% positions when he was running for presidency.
DATE: 16th July 2008.


MEMBER OF PARLIAMENT: Hon. Rachel Shebesh

- Possibility of reviving gender commission whose work was actually to streamline the appointment of women into public office.

DATE: 22nd July 2008.

LEGISLATION: Vote 36 - Ministry Of Lands

MEMBER OF PARLIAMENT: Hon. Rachel Shebesh

- She brought forth the issues affecting women and beseeched the Minister of Lands to look into the issues of women and land.
- She went on to say that the main stumbling block has always been the land policy in Kenya.
- Land should not bring violence or feelings of marginalization.
- If the minister and his ministry can concentrate on collecting revenue, land rates and rent, there would be enough money to implement the land reform. Women in Nairobi give up on land thus live in slums forever. If the minister and his ministry were willing to work with women groups and young people, they would help implement the slum upgrading project. This would work if the government facilitated land for these women.

DATE: 7th October 2008

LEGISLATION: vote 31 - ministry of education

MEMBER OF PARLIAMENT: Hon. Beth Mugo

- Hon. Mugo observed that in many constituencies, girls don’t get 50% or 40% of what is given at the constituency level.
- She had hoped that by now that girls would have 5% more over boys in regards to bursary allocation.
The ministry of education was requested to have 5% of all the bursaries left at the ministry of education to be administered at the gender desk which has already been established; hence those girls with problems because of their gender can get gender equity and get an education.

She further went on to explain that in regards to higher education, more women should be involved in the administration of education. Whereas there are many women in the lower levels, they are not enough and yet, they act as role models to young girls.

**Date:** 8th October 2008

**Legislation:** demonstration of appreciation to mau mau veterans by government

**Member of Parliament:** Hon. Elizabeth Ongoro

- Hon. Ongoro explained that wars were fought in many ways. There were those who availed themselves physically and went to the bush to fight and others who were facilitating. For example women who facilitated the war by providing fighters with food and moral support.

**Date:** 14th October 2008

**Legislation:** vote 12 - office of the deputy prime minister and ministry of local government

**Member of Parliament:** Hon. Rachel Shebesh

- She mentioned that the person who had occupied Muthurwa market were not the persons that we used to find on the streets of Nairobi, who were women and young people from Kariobangi and Korogocho. Instead one they are people who had come from Nyeri and Murang’a who in the evening after trading in the Muthurwa market board buses to go back home.
- The construction of Muthurwa market was a political gimmick.

**Date:** 15th October 2008

**Legislation:** Question No. 63. - Security Checks At Tana Bridge

**Member of Parliament:** Hon. Sofia Abdi Noor
Passengers travelling from Mandera, Wajir and Garissa districts to Nairobi are regularly subjected to security checks at the Tana River Bridge. The laying of roadblocks form part of the police strategy in combating crime, and are, therefore permanent features on the roads. Its done when the need arises to deal with any emerging crime. Road blocks are therefore found across country and at all entry along borders.

- Hon. Sofia explained that the road blocks really harass many people in north-eastern province, particularly women. Women are off-loaded at the bridge, harassed and checked. Even their private parts are touched, which is not right!

**Date:** 15th October 2008  
**Legislation:** Question No. 275. - Operationalization of CDF Health Facilities  
**Member of Parliament:** Hon. Sofia Abdi Noor

- She explained that sixteen women die every day from child birth-related complications while 473 children die every day in our country from preventable diseases.  
- She requested the Assistant Minister to inform the House what measures the Government was putting in place to motivate and retain nurses and health workers in hardship areas?

**Date:** 21st October 2008  
**Legislation:** Vote 06- Ministry of State for Planning, National Development and Vision 2030  
**Member of Parliament:** Hon. Dr. Joyce Laboso

- She congratulated the people of Rift Valley for actually taking the lead in electing women to parliament.  
- There are seven out of the 22 women in this Parliament, which showed that affirmative action is already taking place in Rift Valley.  
- She urged the other provinces to emulate the lead that Rift Valley shown in Sotik Constituency.  
- She wanted to see parliament having a 50-50 ratio of women to men, to be able to articulate the issues of women much more in this parliament.  
- Kenya should really continue to invest in women. There is need to recognize and appreciate the role that women in Kenya play.
Date: 23rd October 2008

Legislation: Question by Private Notice- Number of Relief Food Beneficiaries in Turkana

Member of Parliament: Hon. Dr. Naomi Shabaan

➤ She explained that 15,000 beneficiaries - children and lactating mothers were on supplementary diet and also 78,000 primary school pupils on the School Feeding Programme.

Date: 28th October 2008

Legislation: Vote 10- Ministry of Agriculture

Member of Parliament: Hon. Beth Mugo

➤ She explained that she would like to see more attention paid to women because she is the main farmer in Kenya.

➤ Majority of small-scale farmers are women, where most of the food in Kenya comes from.

➤ Women till land, goes to the market and puts food on the table for her family, therefore she needs to be supported more and empowered.

➤ She further went on to explain that she would like to see a situation whereby women are also given title deeds for the land so that they can also be able to raise more food for their subsistence and also for commercial purpose.

Date: 29th October 2008

Legislation: vote 10- ministry of agriculture

Member of Parliament: hon. Sofia abdi noor

➤ She explained that it’s difficult to see pregnant mothers who are malnourished and unable to carry their pregnancies to full, because of lack of food!

➤ She thus supported that 10% of the national budget should be allocated to the ministry of agriculture.
Date: 4\textsuperscript{th} November 2008

Legislation: Question Number 200- Disbursement of The Women Enterprise Development Fund

Member of Parliament: Hon. Amina Abdalla

- She requested hon. Keya the Assistant Minister for gender, children and social development to confirm that some of the financial intermediaries that have been recruited by the Ministry were charging women almost 24 per cent interest on the loans offered?
- To which the assistant minister responded that it was true that some of the micro finance institutions were charging women entrepreneurs 24 per cent or more than the Government stipulated rate of 8 per cent. In that regard, the Ministry had deregistered them from the list and would not be included in the next allocation.

Date: 4\textsuperscript{th} November 2008

Legislation:

Member of Parliament: Hon. Sofia Abdi Noor

- She inquired about the mechanisms that hon. Keya had put in place to reach and serve the pastoralist women and, in particular, by organising them and building their capacity by providing those funds to them?
- She further mentioned that she was aware that those women had not yet accessed the funds as per November 2008.

Date: 11\textsuperscript{th} November 2008

Legislation: State Of Insecurity In Mandera District (Ministerial Statement)

Member of Parliament: Hon. Amina Abdalla

- She inquired if it was in order for the assistant minister, the Ministry of State for Provincial Administration and Internal Security Mr. Ojode to tell the House that he was setting up a committee to investigate whether people were beaten when an agency of the Government; the Kenya National Commission on Human Rights (KNCHR), had a report showing the Imams and the number of people that were lying in hospital after being beaten and the 15 women who were raped?
Legislation: *Question No.499- Dismissal of Permanent Secretaries From Public Service Jobs*

**Member of Parliament:** Hon. Millie Odhiambo

- She aced the Minister of State for Public Service, Mr. Otieno Minister, to clarify whether he was aware of the Presidential directive of ensuring that 30 per cent of public positions were occupied by women since from the Mrs. Jacinta Mwatela example that he had given among others showed that three out of five of dismissals are women. (34% of the entire public service is comprised of women)
- Secondly she wanted to know if he was complying with this Presidential directive or defying it.

Legislation: *Question No.268- Number of Idps Settled By Government*

**Member of Parliament:** (Dr.) Naomi Shabaan

- She mentioned the case of ladies who people assumed to be IDPs by correcting the public on the fact that the ladies had gone to Nairobi in eight buses, and not four buses as had been alleged.
- When she talked to the ladies they explained that they had been fooled by some business people who had asked them to go to Nairobi to complain.

**DATE:** 26th November 2008

Legislation: Number of women Groups in Kuresoi with loans from Women Enterprise Development Fund.

**Member of Parliament:** Hon Esther Mathenge

- She explained that none of them in the four administrative divisions in Kuresoi had received any funds from the WEDF.
- She said that before 15th December, they would have been able to consider 23 women groups which had already applied.
➢ The reason as to why the funds had not yet been distributed to women groups was because of the post election violence that had been experienced earlier in the year and because being a new district they did not have a social gender district officer hence it was a handicap between the women and the office.

DATE: 3rd December 2009

Legislation: Exclusion of Koibatek District from Roads 2000 Project

Member of Parliament: Hon Millie Odhiambo

➢ She mentioned that it was well known that most roads under Roads 2000 Programme were supported by development partners, and in light t this there were mainstream cross-cutting issues such as gender, human rights and child rights,

➢ She thus asked what the ministry of roads was to ensure that these cross cutting issues were mainstreamed in areas such as Koibatek since civil society who act on such issues are absent where development partners are absent.

➢ She explained it in simple terms as: In areas that are supported by development partners such as SIDA, civil society organizations actually undertake mainstreaming of child, human and women rights, such that when they are undertaking, for instance, labor intensive methods in roads, it is ensured that children are not used in child labor, or if they are used, for instance, in child headed households, they are adequately compensated. But where there are no development partner, that is absent.

ACTUAL OUTPUT WITH INDICATORS

➢ Motion on gender party in the Parliamentary Service Commission by Hon. Amina Abdalla

➢ Motion on equal gender representation in the Truth, Justice and Reconciliation bill 2008 by Hon. Margaret Kamar (see below)

➢ Press statement on gender representation on the TJRC bill (see below)
• Presentation on mainstreaming gender and provisions for non-discrimination principles in the Constitution of Kenya Review Bill, 2008 to the Parliamentary Committee on Administration of Justice and Legal Affairs & Constitution of Kenya (amendment) Bill, 2008 (see below)

As shown below respectively.