REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 20th September, 2023

The House met at the Assembly Chambers at 9.00 a.m.

[The Temporary Speaker (Hon. Paul Leshuel) in the Chair]

PRAYERS

QUORUM CALL

Temporary Speaker (Hon. Paul Leshuel): Clerk, kindly confirm whether there is quorum?

(Lack of quorum confirmed)

Temporary Speaker (Hon. Paul Leshuel): I direct the Serjeant At Arms to ring the bell for ten minutes.

(The quorum bell was rung for 10 minutes)

Temporary Speaker (Hon. Paul Leshuel): Clerk, confirm whether we have got quorum.

(Clerk confirmed achievement of Quorum)

NOTICE OF MOTION

SENSITIZATION AND PREVENTION OF GENDER BASED VIOLENCE

Hon. Benson Kuria: Thank you, Hon. Speaker. I beg to give notice of the following motion;

NOTING THAT, Article 19(2) of the Constitution, 2010 stipulates that, the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potential of all human beings.

FURTHER NOTING THAT, Article 27(3) of the Constitution, 2010 records that, Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres;

AWARE THAT, Sexual and Gender Based Violence is a common phenomenon against women and girls and is a major human rights violation not only in Kenya but across the globe;

CONCERNED THAT, Women who have been poorly educated and economically dependent on their male partners remain more vulnerable with men being the most common perpetrators and this is attributed to unequal power relationships between men and women;

APPRECIATING THAT, women have gained greater opportunities in the workforce, yet they continue to bear a significant burden in terms of household and childcare

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responsibilities. Achieving a more equitable distribution of these responsibilities is an ongoing goal;

ALARMED, by the high rate of sexual and gender-based violence among the communities within the county. This House urges the County Government to;

1. Ensure that issues of Sexual and Gender Based Violence are integrated into county policies, legislation and strategic plans.
2. Undertake public education on Sexual and Gender Based Violence in the community to leverage for positive social norms and attitudes.
3. Engage the local media in broadening the knowledge of evidence about Sexual and Gender Based Violence.
4. Undertake legal literacy and legal rights awareness.
5. Improve co-ordination on gender equality and prevention of Sexual and Gender Based Violence within the county.

MOTION

SENSITIZATION AND PREVENTION OF GENDER BASED VIOLENCE

Hon. Benson Kuria: Thank you, Hon. Speaker. I beg to move the following motion;

NOTING THAT, Article 19(2) of the Constitution, 2010 stipulates that, the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potential of all human beings.

FURTHER NOTING THAT, Article 27(3) of the Constitution, 2010 records that, Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres;

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APPRECIATING THAT, women have gained greater opportunities in the workforce, yet they continue to bear a significant burden in terms of household and childcare responsibilities. Achieving a more equitable distribution of these responsibilities is an ongoing goal;

ALARMED by the high rate of sexual and gender-based violence among the communities within the county. This House urges the County Government to;

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3. Engage the local media in broadening the knowledge of evidence about Sexual and Gender Based Violence.
4. Undertake legal literacy and legal rights awareness.
5. Improve co-ordination on gender equality and prevention of Sexual and Gender Based Violence within the county.

Mheshimiwa Spika, Ningependa kusema ya kwamba yale ambayo nimeweza kushuhudia na kupata katika Jimbo letu ni mengi yakiwemo kina mama wakiumia na kuteseka. Ninajua mahali nimetoka kuna magumu ambayo hupitia. Kama wiki iliyopita, kuna kina mama waliokuwa wametembea kwangu ili niweze kuwasaidia na chakula. Pale kuna maongeo ambayo waliongea na kunikera sana na ndiposa niweze kuleta huu mswada katika hili Bunge.

Mimi nikiwa kama mwanaume, mke wangu anaweza kuamka saa kumi na moja nikiwa bado kwa blanketi, anaandaa Watoto na kutoka lakini mimi huamka yale masaa ambayo nataka. Kama kuna kibarua kwa shamba, mama anaenda kazi baada ya kutayarisha kila kitu. Ninaona ya kwamba mama ni mtu ambaye anafaa kupewa heshima ya kipekee kwa sababu kama baada ya hapo tutaenda shambani, kile kipimo ambacho tutakachokifanya kitakuwa sawa. Saa saba zikifika, unaona ya kwamba mimi mwenyewe naketi pale nikiangalia televisheni lakini yeye anaingia jikoni.

Kwa hivyo, kuna kazi nyingi ambazo anazozifanya mahali pale. Kuna jamii zingine bado hawaendi shamba lakini huenda kufuga. Kwa sababu kina mama wameumia na kuteseka kule mashinani, ningependa hili Bunge liweze kunisaidia ili iwe sheria na heshima katika Jimbo letu la Laikipia. Ningetaka kuuliza Mheshimiwa mteule kutoka Wadi ya Segera, Mheshimiwa Salima Edung aweze kuafiki huu mswada.

Hon. Salim Edung: Mheshimiwa Spika, nasimama kuunga mkono mswada huu ambao umeletwa na Mheshimiwa Kamala kutoka Sosian. Naunga kwa asilimia 90%. Ukiangalia sana wananchi wa Laikipia North, hasa wafugaji, haki za binadamu zimewekwa kando. Unakuta mama ama msichana anachunga ng'ombe ama mbuzi pale. Katika sharia ya mwaka 2010 inasema mwanamke au mwanamme kuwe na usawa kwa kila jambo. Tukiangalia kwa makini, sisi tunapuuza akina mama kwa njia nyingi hasa sisi wafugaji.

Mara mingi tukiwa nyumbani, mama akiwa malishoni apoteze mbuzi moja, hakuna jambo lingine tunaweza ongea na yule mama. Kupigwa na kuambiwa aende akatafute ile mbuzi mahali alipoteza. Katika sheria, inasema kuwa na usawa wa mama na baba. Hakuna usawa tumefanya pale. Yule mama anaenda kutafuta mbuzi na inabidi alale kwa jirani ilhali kungekuwa na njia mwafaka ya mzee kukaa chini na kutafuta jinsi hilo jambo litaangaliwa. Utakuta yule mama ameenda msituni, anapata jeraha na mwishowe anapelekwa hospitalini. Hili ni jambo tunafaa tuangalie kwa ufasaha tukiwa wanaume.

Pia ukiangalia katika elimu hasa sisi wafugaji, tuko chini sana. Msichana wa kieke ndiye anachunga ng'ombe. Amekaa pale kwa miaka sita hadi anakuwa mkubwa. Wewe hauangalii umemnyima haki yake ya kimasomo. Wengine wakienda, shule wako anachunga. Hii mswada imeletwa na Mheshimiwa Kamala tunafaa tuipitishe kwa sababu wakati huu, elimu ni bure. Tunahitaji wasichana wasome. Wakichunga, basi sisi tutakosa waakilishi katika Bunge hili.

Bwana Spika, naomba hii iwe sheria. Katika serikali yetu ya Kenya kwanza, inasema watoto wote wawe shuleni. Hii nafasi pia imepatiwa Chifu wote mashinani kuhakikisha watoto wote wako shuleni. Utampata chifu akizunguka vijijini kuangalia kama watoto wako nyumbani. Naomba katika huu mswada tuunge mkono kwa sababu inajali sisi wote akina

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mama na pia wanaume. Sheria inasema kila mtu apewe haki yake. Kwa hayo machache naunga mswada huu mkono. Asante.

(Question proposed)

Hon. Joseph Gitahi: Thank you for this opportunity. I want to congratulate the mover of the motion for sitting down and thinking about this special category of the society. It is a conventional wisdom and accepted across board that the issues of gender diversity are God's creation. He created Men and Women. We are bound to understand today is that as a society, we have continually discriminated some gender. It could be either gender. If you go to different aspects of working across departments and all sectors of life, you will find that in most cases you will find women have been side-lined.

The most unfortunate thing is the gender-based violence. Hon. Speaker, before getting to this Honourable House, I had an occupation of a reporter. We have reported numerous issues of gender-based violence in the County Government of Laikipia. As we do that, it is incumbent upon us to remember two things. First, we must change ourselves.

We must adopt an attitude that helps all of us embrace the fact that we are far in civilization and we should abandon issues of gender-based violence so that we do not limit the power of women and the girl child or even men and the boy child. We should not limit them by the basis of either being a male or female. It is not lost to us that issues of gender-based violence are not the concrete actions that we see. Hon. Speaker, others are sub to.

Hon. Speaker, if you walk with me down history, before the Supreme Court Judge Njoki Ndungu ascended to where she was, she had tried as much as possible to define gender-based violence. Hon. Speaker, I did not want to mention this word but it goes from the actual sexual abuse to other issues that degrade the sexuality of women and men. There are words I cannot utter here because this is an Honourable House but I want to say that they are not just mere acts that we are used to such as rapes.

Even looking at women in a manner likely to suggest is an offence and it is gender-based violence. Such glances put women in awkward positions and they are not able to compete favourably with their male counterparts in every competitions and other things. Hon. Speaker, I also want to urge because I understand that there are many Members of the Assembly who come from the communities where their cultures permit them to do all these acts to women.

So, we must change as people Hon. Speaker. Then there is another aspect that I loved about the presentation made by Hon. Benson Kamara, that we must create good and proper awareness. We might legislate smartly but if these issues are not embraced by the communities that we come from, we will be chasing the wind. So, awareness creation is very critical so that we are able to push these policies to our people so that we turn it to the advantage of women, girl child, men or the boy child.

Hon. Speaker, the point and the cardinal rule is that nobody should be discriminated or no harm should be inflicted on their gender or how they were born. As I end Hon. Speaker, I also want to state that this discussion should be extrapolated to other issues. We have legislated in the Constitution on the privileges of women and youth in our Constitutions and in all the documents.

Hon. Speaker, we have very good laws but are we meeting the fact that seeks 30% of all the tenders, contracts and employment opportunities given in this county? We do not leave one gender out for the purposes of political experience. Having said that Hon. Speaker, I want to leave this floor to other senior Members of this Assembly. They might be more conversant

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with these issues than I am but I am appreciative for the opportunity and I urge all Members to support the motion by Hon. Benson Kamara. Thank you, Mr. Speaker.

Hon. Simon Kanyutu: Asante sana, Mheshimiwa Spika. Nunga mkono huu muswada ambao umeletwa na Mheshimiwa Benson. Bwana Spika, nikiwa kanisani mimi ni mhubiri na kulingana na Kitabu cha Mwanzo, kinatueleza wazi kwamba mama alikuja kuwa msaidizi. Nashangaa wakati Mheshimiwa kutoka Wadi ya Segera anasema kuwa mama anachunga. Kama ni kunisaidia wakati naenda kazi zingine, hiyo tutafanya pamoja. Kitu ambacho naunga mkono ni kuzuia msichana kusoma lakini akimaliza masomo na kuingiza kwenye boma, mimi nitaenda kulima wakati anaenda kuchunga.

Kitu ambacho nachukia zaidi ni kuadhibu. Nashukuru kwa sababu anawakilisha upande wa Kaskazini mwa Laikipia na yule ambaye ameafiki ni wa upande huo tu. Huko ndiko kuna hizo shida. Mahali ambapo tumetoka, shida za huko haziko kama vile Mheshimiwa Salim ameelezea. Kwa kawaida kama niko Nanyuki, bibi yangu anaangalia vile tutafuata Elnino na kuhakikisha kuna kitu kwa shamba.

Hiyo si kuumiza bali tunafanya kwa umoja lakini si kuumiza, ni kama vile mimi nikiwa mzee niende nikachunge upande mmoja naye mama akachunge mbuzi upande ule mwingine. Jioni zinakuja pamoja na hiyo ni kufanya maendeleo pamoja. Kuumiza mtu kwa sababu anastahili kufanya kitu kingine ndio napinga lakini naunga mkono sehemu zingine na ile ya kuumiza iangaliwe kwa umakini.

Kama vile Mheshimiwa jirani amesema, wanafaa kupewa nafasi ya kusoma. Nimesikia akielezea msichana akiwa mdogo hafanyi kazi nyingine. Akianza kutembea anapatiwa kondoo na kuzipeleka malishoni. Akiwa mkubwa anaozwa. Hiyo ndio tunafaa kuangalia vizuri. Naunga mkono lakini sehemu zingine hazina hayo mambo. Tunafanya kazi tukiwa pamoja na hiyo ni kusaidiana. Asante.

Hon. Irene Wachuka: Asante sana, Mheshimiwa Spika. Kwanza ningetaka kuwasalimia Waheshimiwa wote. Pole kwa kutokuwa jana. Ni mambo tu yalikuwa yametokea katika wadi yangu ambapo kijana wa kidato cha tatu mmoja aliuwawa. Nilikuwa nafuatilia katika chumba cha kuhifadhi maiti ili nijue ukweli kuhusu mauaji ya huyu mtoto. Nashukuru Mheshimiwa Benson Mwangi Kuria (Kamara) kwa kuleta mjadala muhimu sana.

Nashukuru wale ambao wamechangia kuhusu huu mjadala. Huu mjadala ni muhimu sana. Katika Kenya nzima na nchi zingine, hakuna kazi ya mama ama baba. Sisi zote tunatoshana. Pia ningetaka kusema kuhusu kabila ambazo hazipeleki Watoto shule. Wanasema kazi ya wasichana ni kuosha vyombo, kufua, kuchunga na kupika. Hicho kiwango kimepitwa na wakati. Siku hizi sisi zote tumetoshana.

Ukipeleka mtoto kijana na mtoto msichana shule, wote wanasoma pamoja. Kwanza Serikali ambayo inaongozwa na Rais William Ruto na naibu wake, Riggy G vile inatawala Kenya, jinsia ya kike iko mbele kuliko zamani. Awali ungeona Wabunge watatu katika Bunge la taifa. Kwa sasa, tumejaa na tunafurahia. Kwa hivyo, mtoto wa msichana anafaa kuangaliwa kwa umakini kwa sababu adui ni wengi.

Wengine wanataka kunajisi huyo mtoto na kumwacha msituni na wengine wanawanyonga. Wanaume ndio wanafanya hiyo kazi. Kwa hivyo, wakati mjadala kama huu umeletwa katika Bunge hili, wengi wetu ni wazee na wajue nyumbani wako na wasichana. Hakuna siku hata moja uliwahi kusema kijana apelekwe shule na msichana abaki. Tunataka mtoto wa msichana apatiwe haki yake katika Kenya, Bunge, Kaunti ya Laikipia na popote sisi viongozi tunaenda.

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Tunafaa kueneza hii injili ya kusema tumetoshana. Wakati hawa watoto wanaenda shule, unakuta mtoto wa kijana hafanyi vizuri kama mtoto wa msichana. Kabila zingine zinasema hata kama anafanya vizuri watamtafutia kijana karo na msichana abaki nyumbani kuosha. Anaosha vitu za nini? Anachunga ng'ombe na mbuzi za nini? Huu mjadala una umuhimu sana na nauliza Waheshimiwa wachangie tukijua katika familia zetu tuko na wasichana.

Mimi siyo mwanaume, mimi ni mama ambaye yuko na Bwana, vijana wawili na wasichana wawili. Kwa hivyo, kuunga mkono mtoto wa kike ni muhimu sana katika hili Bunge hata katika Kenya nzima. Nauliza Waheshimiwa ambao wako hapa hata kama hauna msichana katika familia yako, umezaliwa na wasichana. Wasichana wapewe heshima yao. Kazi zikipatikana zipatiwe watu kwa usawa bila kubagua. Pengine msichana yuko na akili kuliko kijana katika familia. Hata msichana akiolewa, ni lazima arudi nyumbani kuangalia vile baba na mama anaishi.

Kijana akioa na kuenda Marekani anakaa tu na bibi yake. Kwa hivyo, ni vizuri kumsaidia mtoto wa kike kwa hali na mali hata kwa masomo. Kwa hayo machache, nataka kusema asante sana, Mheshimiwa Benson. Mungu akubariki.

Hon. Nicholas Lempaira: Thank you, Mr. Speaker. I rise in support of the motion by Hon. Benson Kamara. Let us not beat around the bush, we need these policies so that they can help us address some of the challenges that are faced by our women and girls in the bush or villages down there. So, I rise in support of the motion. Thank you.

Temporary Speaker (Hon. Paul Leshuel): I now call upon the Mover to reply.

Hon. Benson Kuria: Asante, Mheshimiwa Spika kwa sababu ya Wabunge kuunga mkono mswada ambao nimeuleta Bungeni. Ningependa kushukuru sana kwa sababu najua ya kwamba tukiwa hapa, nikiwa mzee, ni mama alinifikisha ulimwenguni humu. Kwa hivyo, nawashukuru Waheshimiwa wenzangu kwa kuniunga mkono, na hii iwe sheria ambayo itaweza kushikilia katika jimbo letu la Laikipia. Mwisho, ningependa kuwasihi Wabunge wenzangu, ikiwezekana, kuwe na siku tutatembea kwenye hizo wadi kule Laikipia Kaskazini ili kila mtu ajionee magumu na shida ambazo akina mama wanapitia sanasana kwenye upande wa Louniek. Nashukuru sana.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Paul Leshuel): The sittings of this House now stand adjourned until later today, Wednesday 20th September, 2023 at 2.30 p.m.

The House rose at 9.47 a.m.

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