



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Forty-eighth session

Summary record of the 963rd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 19 January 2011, at 10 a.m.

Chairperson: Ms. Pimentel

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Seventh periodic report of Kenya (CEDAW/C/KEN/7; CEDAW/C/KEN/Q/7 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Kenya took places at the Committee table.*

2. **Ms. Shaban** (Kenya), presenting her country's seventh periodic report (CEDAW/C/KEN/7), said that Kenya attached great importance to the Convention and was committed to accelerating progress towards gender equality and promoting and protecting the rights of women and girls at all levels. Its gender mainstreaming programmes aimed to ensure that gender issues were incorporated into national development planning.

3. The implementation of the new Constitution was expected to have a dramatic impact on the political, cultural and socio-economic landscape of the country and, in particular, on the lives of women. The Constitution addressed the historical injustices and inequities of which women had been victims. It embraced all the principles enshrined in the Convention and strengthened Kenya's commitment to gender equality by countering customary-law restrictions on the individual rights and fundamental freedoms of women.

4. Parliament would soon be introducing affirmative action programmes and policies to redress past discrimination. Legislative measures would be taken to ensure that not more than two thirds of the persons filling elective or appointive posts were of the same sex. Those provisions had already been implemented in a number of bodies, including the Commission for the Implementation of the Constitution, the Revenue Allocation Commission and the Judicial Service, which were of crucial importance in giving effect to the new Constitution. The chairs and vice-chairs of those bodies could not be of the same sex either. Moreover, the Constitution set aside seats for women in the Senate, the national and county assemblies, and other county-level executive structures. The delay in the enactment of essential gender legislation had had a discriminatory impact on Kenyan women, but the legislation, which included a marriage bill, a matrimonial property bill, a family protection (domestic violence) bill and an equal opportunities bill, would now be reintroduced in parliament within the framework of the new Constitution. Other bills awaiting passage included a national gender and development bill, which would elevate the existing Gender Commission to an independent constitutional commission, a national human rights bill and an ombudsman bill for fair administrative action for all.

5. In the past, unequal treatment on issues of nationality had been a matter of great concern to Kenyan women. The new Constitution not only allowed the foreign husbands and children of Kenyan women to obtain citizenship, but also, for the first time, permitted dual citizenship. Moreover, women would no longer lose their citizenship through marriage or upon dissolution of marriage. The new Constitution guaranteed non-discrimination before the law in a wide range of areas, including marriage, divorce, adoption, burial and succession, and provided that "every person is equal before the law and has the right to equal protection and benefit of the law". It also incorporated the provisions of the Convention. Pursuant to article 2, paragraph 6, "any treaty or convention ratified by Kenya shall form part of the law of Kenya". Article 21, paragraph 4, specified that "the State shall enact and implement legislation to fulfil its international obligations in respect of human rights and fundamental freedoms". In testimony to Kenya's commitment to its international obligations, the Government had drafted a bill on the incorporation of international treaties into national law.

6. In 2007 the Government had established the Women's Enterprise Fund to facilitate women's access to credit and to empower them economically. The Fund had transformed

the lives of grass-roots women by addressing their problems in accessing credit, capital, markets and entrepreneurial skills.

7. The introduction of free primary school education had resulted in a significant increase in the enrolment of girls at that level. The removal of tuition fees for secondary school had made education more accessible and affordable. Gender parity had been achieved at the national level.

8. The proportion of women receiving skilled medical care had grown from 39 per cent in 2006 to 43.8 per cent in 2008–2009. The number of facilities providing care for sufferers of HIV/AIDS had increased, and the number of women being tested and treated was on the rise. The National AIDS Control Council now had a grass-roots presence, which had resulted in improved HIV/AIDS awareness and prevention. The latest data showed that the HIV/AIDS prevalence rate in the country had declined from 14 per cent in 1999 to 6.3 per cent in 2010.

9. Kenya had established a National Framework on Gender-based Violence. Measures contributing to a reduction of violence against women included: the establishment of gender desks in police stations; capacity-building for law enforcement officers; awareness-raising on the issue; and the development of information, education and communication materials as campaign tools. A number of hospitals had set up recovery centres to provide treatment, psychological support and referral services to victims of gender-based violence. The three main provisions in place to combat gender-based violence in Kenya were: article 29 of the Constitution on freedom and security of the person, which established the right not to be subjected to any form of violence from either public or private sources; the Counter-Trafficking in Persons Act of 2010, which addressed the problem and helped to protect the vulnerable and assist victims; and the Sexual Offences Act of 2006, which was already being implemented by the courts.

10. Effective gender mainstreaming could ensure that policy formulation and implementation did not have negative effects on women. The Ministry of Gender, Children and Social Development was mandated to coordinate gender mainstreaming in the national development process. To that end, it had established focal points in public institutions to facilitate gender mainstreaming in sector-specific programmes at all levels.

11. Her delegation reaffirmed Kenya's commitment to implementing the Convention and to complying with its reporting mechanisms and procedures. Recent measures, when judged against the historical record, represented significant progress. She was certain that the interaction with the Committee would help Kenya in attaining its goal of promoting gender equality and protecting the rights of women.

12. **Ms. Patten** welcomed the progress made in Kenya in promoting gender equality, despite the difficulties encountered in recent years. To begin with, she asked the delegation to explain the position of the Government of Kenya with regard to the ratification of the Optional Protocol to the Convention and enquired whether there were any obstacles to taking such a step. She went on to note that, in accordance with the Committee's general recommendation No. 28, delays in providing legal protection and abolishing or amending discriminatory laws and regulations could not be justified on political, social, economic, cultural or any other grounds. It would be useful if the delegation could provide a time frame for the enactment of the bills on marriage, matrimonial property, family protection (domestic violence), equal opportunities and female genital mutilation that were currently before parliament, and she reiterated the concerns expressed by the Committee in 2007 about delays in that regard. She also enquired whether Kenya planned to review all laws which still contained discriminatory provisions, such as the law of succession, with a view to repealing them. Technical assistance to that end could be obtained.

13. **Ms. Halperin-Kaddari** said that, on the one hand, family law was governed by the Constitution but, on the other hand, *cadi* courts had been established as a separate body for hearing Muslim family law matters, including inheritance issues. Whereas traditional tribunals' judicial authority was limited to the purposes and principles of the Constitution and any traditional law that contravened the Constitution was null and void, no such limitation was placed on the *cadi* courts. Likewise, decisions of the traditional tribunals could be appealed against, but there was no indication that those of the *cadi* could be challenged. She asked whether Muslim women could institute divorce and succession proceedings before a civil court or whether they must apply to the *cadi* courts. If so, would that still be the case once the marriage bill was passed? Would that bill permit an appeal against a decision by the *cadi* courts? More generally, she wondered how Kenya intended to deal with the existence of a system of Muslim family law which, in some respects, contravened the provisions on equality in the new Constitution. The previous succession act had been amended to provide for the continued application of Muslim succession law. Would that same pattern be repeated with the marriage bill?

14. **Ms. Ameline**, referring to the many cases of rape and murder committed during the events of 2006 and 2007, asked what procedure had been adopted to enable the victims to seek redress. Had any perpetrators been brought to trial? She would also like to know whether Kenya had a coordinating mechanism for bringing existing legislation into line with the Constitution. In addition, it would be useful to learn whether a debate had begun on whether Kenya should ratify the Optional Protocol.

15. **Ms. Majiwa** (Kenya) said that article 27 of the new Constitution guaranteed equality between men and women and prohibited discrimination. All future legislation must be in line with those provisions. Any existing laws that were discriminatory would be declared null and void. With regard to time frames, she said that all the bills concerning gender equality were being given priority attention to ensure rapid adoption. In reply to the question about the *cadi* courts, she said that Muslims were not obligated to use those bodies; they were free to apply to the regular courts if they so wished. Appeals of decisions by the *cadi* courts were referred to the Kenya High Court. On the question of the recent post-election violence, she said that the Truth, Justice and Reconciliation Act made provision for women to seek redress. Local tribunals were also to be reintroduced in order to allow women who had been the victims of violence to demand reparation. The courts could also award compensation.

16. **Ms. Baraza** (Kenya) said that ratification of the Optional Protocol would go a long way towards ensuring the full enjoyment of women's fundamental rights and freedoms. The Ministry of Justice, National Cohesion and Constitutional Affairs was examining the Optional Protocol with a view to ratifying it as soon as possible, as required by the Constitution.

17. With regard to pending legislation, she said that the first attempt to legislate on the marriage bill went back as far as 1972. Now that it and other bills were underpinned by the Constitution, the Government would move rapidly to ensure their passage. There was a five-year time frame for completing legislation in the area of family law but, in view of their urgency, the family bill, the matrimonial property bill, the family protection (domestic violence) bill and the equal opportunities bill had been referred by the Kenya Law Reform Commission to the recently formed parliamentary Constitutional Implementation Oversight Committee, through which all bills must pass for verification of their constitutionality. The bills would be examined by all interested parties, including civil society and the general public, before going before parliament in June 2011. Despite initial hitches, the country was now on schedule in terms of amending existing laws and introducing new legislation. The implementation of the new Constitution was time bound; it included a provision under which parliament could be dissolved if it failed to enact legislation within the time frames

envisaged for each instrument. Under the new Constitution's clear prohibition on discriminatory laws, several provisions of the Succession Act would be removed as part of the work of the Law Reform Commission.

18. **Ms. Shaban** (Kenya) said that, in the wake of the post-election violence, over 350,000 internally displaced persons (IDPs) had been able to return home. The Government was working to ensure that the remaining IDPs could return home soon and had begun procuring land to build housing for those still left in transit camps. That effort would be complemented by a reconciliation process in order to avoid renewed unrest.

19. **Ms. Ameline** requested additional information on the results of trials concerning post-election acts of violence. Compensation for women victims was extremely important, but it was equally imperative that the perpetrators of those acts were prosecuted.

20. **Ms. Halperin-Kaddari** asked whether it was incumbent on the judicial authorities of the *cadi* courts to ensure that the purpose and principles of the new Constitution were protected and promoted, or were they allowed to maintain discriminatory provisions? If so, would they continue to be exempt from the prohibition on discrimination once the marriage bill was adopted? She recalled the Committee's position that free choice did not imply permission to discriminate.

21. **Ms. Baraza** (Kenya) said that the Government was reforming the judiciary because the public had lost faith in it owing to the way it had handled the post-election violence. The existence of *cadi* courts had been one of the requirements in the agreement signed by the British Government and Kenya's first independent Government. During the drafting of the new Constitution, there had been a debate about whether or not to maintain the courts, and the issue had threatened to result in unrest. She agreed that the courts might not fulfil the equality principle of the Convention, but the Committee should take the unique situation of her country into account. The application of Islamic law in *cadi* courts was not unconstitutional, as the new Constitution itself exempted Muslims from the equality provision.

22. **Ms. Shaban** (Kenya) added that the marriage bill was an attempt to bring all the different laws on the subject under a single legislative instrument. However, the country's Muslims had demanded that the historical agreement ensuring the continued existence of *cadi* courts should be respected. The judiciary had attempted to declare those courts illegal, but that decision had threatened to derail the implementation of the new Constitution.

23. **Ms. Shulz** requested additional details on the number of staff and the size of the budgets of the Department of Gender of the Ministry of Gender, Children and Social Development, the National Commission on Gender and Development, the new National Human Rights and Equality Commission and the other institutions that were to be established by that Ministry. The Committee wished to know whether there were plans to have gender and social development agents in all 206 districts of the country. It would also be useful to know whether the National Assembly Committee on Equal Opportunity and the National Commission on Gender and Development worked together, how they maximized efficiency and how they reduced the risk that both of them might address or neglect the same issues. Could they initiate legislative proposals aimed at ensuring gender equality? Could either of them influence the speed with which important bills were adopted? Could they launch projects and programmes and did they have the right or obligation to evaluate their own activities and/or those of the various ministries in terms of gender mainstreaming? She would also be interested to learn who was responsible for coordinating gender equality programmes and projects between the national and local level.

24. **Ms. Popescu** said that the steps which the State party had taken to help meet maternity-related costs (CEDAW/C/KEN/7, para. 63) were not temporary special measures; they were regular, ongoing measures. Welcoming parliament's introduction of temporary

special measures to increase women's participation in political life, she requested clarification of the two thirds/one third electoral policy mentioned by the delegation. It would be useful to learn whether the 2006 presidential decree establishing a 30 per cent minimum threshold for the recruitment and promotion of women in all public offices was still valid and whether the State party had established clear legal and institutional frameworks to ensure compliance with that decree. The Committee would welcome additional information on reports that a 2007 political parties bill incorporating affirmative action and a quota for female candidates had been rejected by parliament. Did the Government plan to reintroduce that bill?

25. **Ms. Hayashi** commended the State party for enacting the 2006 Sexual Offences Act and asked when a policy on its implementation would come into effect. Given that many acts of sexual violence were apparently not reported, she would like to know how the State party planned to gather reliable statistics on the matter. Section 38 of that law provided that any person who made false charges under the Act was subject to a penalty equivalent to the one established for the alleged sexual offence. Since that provision was likely to discourage victims from reporting cases of sexual violence, she asked whether the Government would consider repealing it. She would find it useful to have additional information on the Government's comprehensive plan to combat sexual violence and on the measures it contained for encouraging victims to report such crimes and for improving training for legal professionals and law enforcement officers on legal aspects of sexual violence. The Commission of Inquiry into Post-Election Violence (CIPEV) had recommended establishing an office of the Special Rapporteur on violence against women and a special tribunal to investigate and prosecute the perpetrators. The Commission had noted that, if the Government failed to establish such a tribunal, the cases should be referred to the International Criminal Court for investigation. She requested information on the implementation of those recommendations and the obstacles that were causing delays.

26. **Ms. Popescu** requested an update on steps taken to implement a comprehensive strategy to modify or eliminate cultural practices and stereotypes that discriminated against women, as recommended by the Committee in 2007 (CEDAW/C/KEN/CO/6, para. 22). She urged the Government to include measures aimed at the systematic elimination of gender stereotypes in the national framework that it was developing to address and prevent gender-based violence. Steps should also be taken to change people's mentalities by, among other things, revising training manuals and educational curricula and changing the portrayal of women in the media. While welcoming the family protection bill, the Committee was concerned at the delay in its enactment. She asked why marital rape had not been included in the bill, particularly given the reportedly high incidence of such acts in the State party. The Committee also welcomed the State party's efforts to eliminate the practice of female genital mutilation and, in that connection, the introduction of a bill in 2010 to prohibit female genital mutilation. She urged the Government to enact that legislation as soon as possible and wished to know what other measures the Government was taking to eliminate the practice throughout the country.

27. **Ms. Gabr** asked what measures the State party was taking to combat domestic violence in schools and homes. Noting that there could be no religious justification for female genital mutilation, she asked what the State party's approach was to that practice and whether the Government had discussed the matter with religious leaders and with village tribal leaders with a view to its eradication.

28. Some sources had indicated that trafficking in persons, particularly in women, both within Kenya and across its borders, was a serious problem. She asked whether the State party planned to draw up legislation to combat trafficking and whether it had acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized

Crime (the Palermo Protocol). Did the State party plan to establish a national commission to coordinate awareness-raising activities with relevant stakeholders and efforts to prevent trafficking? Was there a national action plan in that regard? The United Nations Office on Drugs and Crime could provide useful expertise in that area, as could an exchange of experiences with other countries.

29. **The Chairperson**, speaking in her capacity as an expert, said that there had been a significant increase in child prostitution, particularly in coastal tourism areas, where it provided an income to extremely poor, vulnerable families. She asked for details about the special police unit established to combat sexual tourism, including its size and the number of violations it had recorded. Were there any specific public policies to help support those families, so that girls would be less tempted to engage in prostitution? It would be useful to have statistics on the number of women who had been convicted of prostitution and on the number of persons convicted of exploitation of prostitution. Would the State party consider prohibiting, not just prostitution, but also the use of prostitution services? She recalled the Committee's general recommendation No. 19, which dealt with the exploitation of prostitution of women and girls, and called into question the State party's affirmation, in paragraph 97 of the report, that the Government could not be expected to address or redress exploitation of prostitution, since prostitution was officially prohibited. Noting the Government's cooperation with NGOs working to rehabilitate women who were leaving, or attempting to leave, prostitution, she asked if any measures were taken directly by the State party itself in that area.

30. **Ms. Suda** (Kenya) said that the main task of the Department of Gender was to coordinate gender mainstreaming work, which was facilitated by the gender focal points in line ministries. The National Commission on Gender and Development focused on advocacy and on lobbying for the enactment of gender-related legislation. The national machinery for the advancement of women could therefore be said to consist of the Department of Gender of the Ministry of Gender, Children and Social Development, the National Commission on Gender and Development, and the gender focal points in line ministries. That machinery worked together with other partners, including civil society. At district level, gender mainstreaming was coordinated in partnership with various stakeholders. Under the new Constitution, the National Commission on Gender and Development had been incorporated into the new Kenya National Human Rights and Equality Commission. In response to concerns that the merger would undermine the work being done on women's issues, however, efforts were under way to separate the two entities once more, and a bill to that effect was being drawn up. Securing sufficient funding for the Kenya National Human Rights and Equality Commission was challenging, but the difficulties in that regard were being addressed. In line with the importance that the new Constitution attached to gender issues, the new Human Rights and Equality Commission had a mandate to deal with issues of gender equality and gender mainstreaming.

31. **Ms. Shaban** (Kenya), in reply to an earlier question regarding the minimum threshold for the recruitment of women, said that, following the implementation of the Presidential Directive on Affirmative Action, the number of women in public service posts had increased, but the figure had not yet reached the required 30 per cent. Under the new Constitution, 47 posts in the National Assembly and 16 posts in the Senate were set aside for women. No more than two thirds of the members of county governments could be of the same sex.

32. **Ms. Baraza** (Kenya) said that the Kenya Law Reform Commission was working with the Parliamentary Committee on the Implementation of the Constitution on legislation to ensure that the principle of affirmative action would be translated into action aimed at increasing the representation of women in public service positions.

33. It was true that the Political Parties Act did not reflect the principle of affirmative action for women in political party representation or promote women's effective participation in political life. The review to be undertaken of all current legislation to ensure compliance with the new Constitution would, as a matter of course, cover the Political Parties Act and the Sexual Offences Act, section 38 of which was considered to be the reason for the underreporting of sexual offences.

34. In line with the recommendations of the Waki Commission, the Government was in the process of reforming the judiciary with a view to the punishment of perpetrators of rape and other sexual offences committed during the wave of post-election violence. While the major perpetrators were being brought before the International Criminal Court, the Government still had a duty to establish a local tribunal to try those responsible for such crimes on a lesser scale. A new bill to that effect was before the National Assembly.

35. **Mr. Wango** (Kenya) said that the issue of female genital mutilation had been introduced into school curricula. As for the question about violence in schools, any teacher who committed a sexual offence against a student was dismissed and removed from the register of teachers. On another front, it should be noted that the policy framework for nomadic education addressed specific needs, and some results were already visible.

36. **Ms. Kabaru** (Kenya) said that the expectation was that the bill for the prohibition of female genital mutilation currently before parliament would be passed without delay. Under the Constitution, women and girls were protected from such harmful practices. Work was being carried out in north-eastern Kenya by a national committee set up under the Ministry of Gender, Children and Social Development, in cooperation with local partners, to reduce the prevalence of female genital mutilation. Community dialogues were being organized in that region which were targeted at groups such as the elderly, young persons and the professionals involved. The Ministry was establishing networks to ensure that stakeholders from various line ministries and civil society were fully involved in its work. Cultural or religious grounds were sometimes invoked as a justification for female genital mutilation. To counter that, the Ministry organized events at which community leaders publicly condemned such practices. Three of those events had been held to date, and five more would take place in 2011. Christian and Muslim networks were encouraged to raise awareness about female genital mutilation and to make it clear that there was no religious justification for such practices. The Kenya Women's Parliamentary Association had also been active in that area.

37. **Ms. Ogamba** (Kenya) said that her Government was determined to abolish trafficking in persons, particularly women and children. In that regard, she referred to the recently enacted Counter-Trafficking in Persons Act. A programme had been set up to enable women who wished to leave prostitution to carry out income-generating projects and, under the Children's Act, child prostitution had been abolished.

38. **Ms. Majiwa** (Kenya) said that the Government recognized the seriousness of the problem of trafficking in persons. Under the Counter-Trafficking Act, victims of trafficking could no longer be prosecuted. It also provided for court fees to be waived for victims wishing to bring civil proceedings and for the resettlement and compensation of victims. Those convicted of trafficking were liable to pay indemnification.

39. **Ms. Shaban** (Kenya) said that the Ministry of Gender, Children and Social Development had drawn up a memorandum of understanding with hoteliers in Kenya who had agreed not to permit traffickers to meet with children in their hotels. Under the National Plan of Action to Implement the Gender Policy, a helpline for child victims had been created so that misconduct could be reported to the Ministry.

40. **Ms. Bailey** said that she would like some clarification on the roles of the National Commission on Gender and Development and the Kenya National Human Rights and

Equality Commission, in particular regarding their mandates. She would also like information about training for police officers in dealing with cases of child prostitution and whether such activities were reported as sexual offences. Any available statistics would be welcome.

41. **Ms. Murillo de la Vega** enquired whether the Kenya Women Parliamentary Association could eventually become a parliamentary commission.

42. **Ms. Shaban** (Kenya) said that the Kenya Women Parliamentary Association was recognized as a parliamentary committee and given considerable support by the Speaker of the National Assembly. A decision had been made that the Association should not be a caucus; it would therefore not become a commission. The two commissions to which Ms. Bailey had referred both pre-dated the Constitution. Women had lobbied to keep those commissions separate, so that gender issues would not be lost in the larger issue of human rights. Women in Kenya were delighted that the National Commission on Gender and Development now had constitutional standing.

43. **Ms. Suda** (Kenya) said that the Ministry of Gender, Children and Social Development had traditionally been so seriously underfunded that it did not have adequate resources to fulfil its core mandate, which was to mainstream gender issues into all development processes. Recently, the Government had been seeking well-trained staff to assist the Ministry at the district level, and staffing had increased. That was essential, since the Ministry was responsible for disbursements from several important sources of financing, including the Women's Enterprise Fund and the National Social Protection Fund. She was optimistic that budget allocations for the Ministry would also improve in the coming year.

44. **Ms. Shaban** said that the Tourism Police enforced the law to the letter and that, since the Ministry had secured the cooperation of hoteliers, the incidence of child prostitution and related complaints had dramatically diminished.

45. **Ms. Murillo de la Vega** said that she was pleased by the presence of high-ranking members of the Government in the delegation of Kenya. She had visited that country and had been deeply impressed by the level of participation by women in political life. Kenyan women worked, provided food and cared for their families: in essence, they were taking care of the country. And yet, they were not accorded sufficient recognition in public life.

46. She would like to know what measures the Government had taken to combat the dissemination of hate messages against women and whether perpetrators had been convicted and punished. The most recent elections had given rise to large numbers of deaths and disappearances; in that regard, she would like to know whether Kenyan women were forming activist groups to put forward and promote women candidates for public office. In addition, she would like to know how many women formed part of the Truth, Justice and Reconciliation Commission. Finally, it would be useful to learn whether any progress had been made in improving the participation of women in decision-making processes in tribes and villages.

47. **Ms. Belmihoub-Zerdani** said that the number of women parliamentarians in the National Assembly, at 9.5 per cent of the membership, was insufficient; it was known that women must control at least 30 per cent of a legislature in order to have an effect on the proceedings. She asked why some women parliamentarians were appointed and others elected. She would also like to know how many women ministers existed, how many women were members of the judiciary, and how many women held leadership positions. It would also be useful to know how many women mayors existed in Kenya, since women often began their political careers in local government. Lastly, she enquired whether governmental subsidies were provided to political parties that had successfully backed women candidates.

48. **Ms. Bareiro-Bobadilla** asked what percentage of Kenyan women voted in elections and what efforts were being made to increase their role in local government. She, too, would like to understand why some women parliamentarians were nominated and others elected.

49. **Ms. Neubauer** enquired what measures were being taken to implement constitutional rights regarding nationality and the acquisition of nationality and whether steps were being taken to amend the domestic legislation accordingly.

50. **The Chairperson** invited the members of the delegation of Kenya to reply to the questions raised by Committee members.

51. **Ms. Shaban** (Kenya) said that the National Cohesion and Integration Commission ensured that Kenyans who were inciting other Kenyans to violence were prosecuted. The Commission had been formed after the wave of post-election violence, and 30 per cent of the commissioners were women. They had been working throughout the country to integrate communities that had been in conflict following the elections and to encourage women to stand for office. It was understood that women's lack of resources was a handicap. There were currently 22 women in parliament out of a total of 220 members. Women had been allotted 6 out of the 12 special seats that were filled by appointment rather than election. Under the new Constitution, 47 parliamentary seats had been reserved for women, and women would contend with each other for those spots. Those were in addition to the seats held by women who ran for election against men. It should therefore be possible to achieve 30 per cent representation by women in the next election. Moreover, in the newly reconstituted Senate, there would be 16 seats for women, as well as 2 seats for representatives of young people and 2 seats for disabled persons, 1 man and 1 woman in each case. Lastly, it should be noted that the Electoral Commission of Kenya had been disbanded after the election, and a new temporary commission set up: women represented about 30 per cent of its membership.

52. **Ms. Suda** (Kenya) said that the new Constitution provided for a bicameral parliament made up of the National Assembly and the Senate, and affirmative action was being taken to improve the representation of women in both houses. Awareness must be raised to encourage women to vote and to stand for office. Women constituted a majority of the population, but did not have a voice. Concerted action must be taken in Kenya to increase the representation of women through, among other measures, improvements in public education.

The meeting rose at 1 p.m.