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DEVOLUTION AND EQUALITY PRINCIPLES IN JEOPARDY

The National Gender and Equality Commission is keenly following the wage bill debate initiated by His Excellency the President on March 10, 2014. The debate is welcome as it will inform the decisions going forward on best ways to trim the skyrocketing wage bill. We support efforts to bring the public wage bill down.

However, the Commission has noted with great alarm that the debate has assumed a devious plot, whose motivation is to undermine devolution and mutilate the Constitution which the country has only just began implementing with evident benefits but now on the verge of being sacrificed at the altar of political expediency in the guise of taming the public wage bill.

The Commission is concerned by the very bold and undisguised statements from some legislators that there is need to scrap certain institutions through constitutional amendments. Of concern is the proposal to scrap the positions of county women representatives, reduce the number of counties and do away with nominated senators. These positions are as a result of affirmative action. The Commission wishes to point out the following:-

WHAT THE DEBATE SHOULD BE ABOUT

The Commission considers the wage bill debate to have been subverted by forces keen on clawing back on the gains made by the Constitution of Kenya 2010 especially in securing the rights of special interest groups among them women, youth, persons with disabilities and minority and marginalized groups. The nominated leaders fall within the description of Special Interest Groups who are protected by the Constitution. Any attempt to liquidate their positions is inimical to the principles of gender equality and inclusion as provided in Article 27 of the Constitution.

Affirmative action as contemplated in the Constitution is meant to bring on board persons who would otherwise have never been able to occupy key decision making institutions on account of systematic marginalization and cultural discrimination. For the first time, the Constitution has guaranteed women, youth, persons with disabilities and those from minority groups a chance to steer key institutions in this country.

Nominations to the National Assembly, Senate and the County Assemblies are remedies of a last resort in ensuring fair representation as provided by the Constitution. For there to be a sustainable development in the country, inclusion principles must be adhered to and we call on His Excellency the President to clearly pronounce his political stand and support to the gender equality and inclusion principles and enshrined in the Constitution of Kenya 2010 and the Jubilee manifesto.

Assailing affirmative action and liquidating key provisions in the Constitution will not solve the skyrocketing wage bill. Kenyans must remain highly vigilant of any attempts to recede constitutional gains fought for over two decades through sweat and blood. Besides sealing the gaping loopholes that have fuelled wanton wastage and pilferage of taxpayer's money, the government must invest in a public education curriculum that inculcates a culture of respect for the principles of equality and freedom from discrimination. That way Kenyans will appreciate that all persons are capable of offering leadership without having to invoke affirmative action.

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