



COUNTY ASSEMBLY OF MOMBASA THE HANSARD

Tuesday, 16th May, 2023
Third Assembly – Thirty Fourth Sitting

*[The County Assembly met at 12:13p.m. at the County Assembly Buildings]
[The Deputy Speaker (Hon. Fadhili Mwalimu Makarani) in the Chair]*

PRAYERS

The Deputy Speaker (Hon. Fadhili Makarani): Have your seats Honourable Members. Yes Clerk?

COMMUNICATION FROM THE CHAIR

NOMINATION OF TWO BOARD MEMBERS IN ACCORDANCE WITH SECTION 12(3)(D) OF THE
COUNTY GOVERNMENTS ACT, 2012

Honourable Members, Nomination of two Board Members in Accordance with section 12(3)(d) of the County governments Act, 2012. Honourable Members, the nomination of the two external Board Members; reference is made on the County Assembly Service Board resolutions of 5th May, 2023 which adopted the interview Report of the following two external Board Members who were successful during the interviews;

1. Miss Linet Kamadi ID No. 10312885
2. Mr. Swabir Abdallah ID No. 20113877

As per the County Assembly Service Act, 2017 the Service Board submits the names to the County Assembly for approval in accordance with the Mombasa County Assembly Standing orders from the Clerk of the County Assembly of Mombasa. Honourable Members, having read the communication, the two nominees stand committed to the Committee on Appointments for considerations and be brought back to this Honourable House for the House to approve. Thank you. Yes Clerk?

NOTICE OF MOTION

MEASURES TO ERADICATE CHILD LABOUR WITHIN MOMBASA COUNTY

Yes, Honourable Jacktone Madialo.

Hon. Madialo: Thank you Mr. Speaker

Mr. Speaker Sir, I wish to give notice of the following Motion:

AWARE THAT the National Policy on Eliminating Child Labour provides a framework for eradicating child labour in Kenya and that its implementation is crucial to achieving this goal;

FURTHER AWARE THAT raising awareness among parents, employers, and the community about the harmful effects of child labour is critical to reducing its prevalence;

NOTING THAT effective strategies to eliminate child labour have been implemented in developed countries, including increased education and vocational training access, economic incentives to discourage child labour, and social protection services for at-risk children;

FURTHER NOTING THAT children under the age of 18 years old are entitled to their rights and freedoms as stipulated in the United Nations Convention on the Rights of the Child, including the right to education, health, and protection from harm;

ACKNOWLEDGING THAT child labour is a serious problem in Mombasa County, with children being exploited economically through street hawking, street begging, domestic work, sexual exploitation, boda boda riding, child trafficking, and children working in quarries;

CONCERNED THAT child labour deprives children of their childhood, education, and future opportunities, and that it is a violation of their rights;

RECOGNIZING THAT the County government has a responsibility to protect children from exploitation and abuse and promote their welfare and development under Article 43 of the Constitution of Kenya, and the ILO Convention No. 182, which calls for the elimination of the worst forms of child labour, including slavery, forced labour, trafficking, and work that is harmful to a child's health or development;

I, therefore, urge this Assembly to RESOLVE:

1. THAT, the County government work with the national government to, strengthen laws and policies to protect children, enforce them, and provide social services to eradicate child labour, in compliance with international best practices;
2. THAT, the County government to raise awareness among parents, employers, and the community about the harmful effects of child labour, and promote alternative solutions;
3. THAT, the County government to collaborate with government agencies and civil society to implement effective strategies and allocate resources to increase access to education and vocational training in a bid to eliminate child labour;

4. THAT, the County government to monitor and report on child labour prevalence and take appropriate action to prevent and respond to cases, in compliance with international best practices;
5. THAT, the County government to partner with international organizations to leverage resources in fighting child labour, in compliance with international best practices.
6. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Jacktone Madialo. Yes Clerk?

STATEMENT

BLOCKAGE OF PUBLIC ACCESS ROAD NEAR KIEMBENI BAPTIST CHURCH

Yes, Honourable Morgan Matsaki, Minority Leader.

Hon. Matsaki: Thank you Mr. Speaker. Honourable Speaker, I stand pursuant to standing order 41 (2) (c) to request for a statement from the Chairperson, Committee on Lands, Housing and Urban Planning.

Honourable Speaker, the County governments are responsible for regulating and overseeing construction activities within their boundaries. This may involve issuing permits, inspecting construction sites and enforcing building codes and other regulations.

Honourable Speaker, the responsibility for maintaining public access roads in the County typically falls under the County governments. They are responsible for ensuring that roads are constructed, repaired and maintained to meet safety and accessible standards.

Honourable Speaker, I'm deeply concerned about the recent construction of a wall that has blocked access to a public access road. I believe that this action has resulted in an unacceptable obstruction of the residents' rights to free and safe movements, and is contrary to the principles of accessibility and inclusivity that are essential to a healthy and vibrant community.

Honourable Speaker, in his response, the Chairperson should inquire and respond on the following;

1. Whether the County government has granted authority for the construction of the wall near Kiembeni Baptist Church in Mtopanga Ward?
2. What steps the County government has to rectify this situation by removing the obstruction and restoring public access to the road near Kiembeni Baptist Church in Mtopanga Ward?

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Honourable Morgan Matsaki Minority Leader. Yes, any Member from Transport Committee? Okay thank you Clerk for the rectification.

Yes, any Member from Lands Committee to respond on the statement from Honourable Matsaki, yes Honourable Ibrahim are you a Member of Lands?

Hon. Omondi: Yes Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Makarani): Any response?

Hon. Omondi: Mr. Speaker, I would like the Member to give us time for at least two weeks, those are enough because those are matters involving lands and are very secretive. Mr. Speaker, we request you to give us two weeks so that we as a Committee we will be able to exhaust that matter, we shall respond comprehensively Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Ibrahim Omondi, I think two weeks is enough, so permission granted. Yes Clerk.

ADJOURNMENT

Honourable Members, the House stands adjourned until Tuesday 16th May, 2023 at 2:30 p.m.

The House rose at 12:27p.m.