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Agenda item No. 3a

SOCIO-ECONOMIC DEVELOPMENT OF MUSLIM MINORITY COMMUNITY IN KENYA.

Mr Chairman,

I thank you for giving me an opportunity to take the floor to address the problems facing the Muslim minority in Kenya. My name is Asiya Mahmood Mwanzi representing the LEAGUE OF MUSLIM WOMEN OF KENYA, a broad based organisation that has a nationwide membership across Kenya of women organisations dealing with various issues of Muslim Women and the girl-child.

The minority situation in Kenya seems very simple to many. There are those who choose not to believe that it is a major problem. This has given rise to the sheer neglect and lack of government commitment and reasonable response towards alleviating the miseries of this in Kenya.

Muslims of Kenya constitute 30% of the Kenyan populous of 30 million. Yet they are discriminated against on the basis of their religious affiliation despite the fact that most of them are ethnic Kenyans. Muslims live in the arid and semi arid parts of Kenya, and those that live in the urban centres are concentrated in the slum areas, save for those who are well placed in society in terms of employment in the public and private sectors.

Being minorities in terms of their religion, Muslims find themselves segregated and discriminated upon in terms of employment, national wealth distribution and socio-economic and political aspects. It has been a tradition in Kenya that there is a very low level of representation by Muslims in decision making structures and security forces of the country. The few Muslims found to hold plum jobs in the Kenyan government in the past regimes and even in the current one, are those who are being used as pones to advance goals for the ruling elite.

Looking at the government of the day, there are only 2 Muslim cabinet ministers out of the twenty one in the various ministries, 1 assistant minister and 1 permanent secretary, 5 ambassadors and only one nominated member of parliament who is in the opposition.

At the outset, I would like to refer to Article 2.2 of the UN Declaration of Minority Rights which state that persons belonging to minorities have the right to participate effectively in cultural, religious, social economic and public life. I would also like to refer to Article 4.5 of the UN Declaration of Minority Rights which declares that states should consider appropriate measures so that persons belonging to Minorities may participate fully in the economic progress and development in their country.

Mr Chairman,

Kenya has ratified the International Covenant on Civil and Political rights (ICCPR) and the International Convention on the elimination of all forms of Discrimination. These ratifications if implemented have the answers to the dilemma of the Muslims and other Minorities in Kenya. As far as the Muslim community is concerned in Kenya, the Government has failed to live up to its responsibilities. Thus it has violated the laws set out in the article 4.5 of the UN Declaration on Human Rights.

The government ratified ICERD in 2001. We welcome this positive step. However we are concerned that the history of non-reporting to treaty bodies will continue. For example Kenya last submitted a report under the ICCPR in 1981, thereafter there has been a gap of over 20 years.

Without sounding hopeless, the new government appears to be responsive and people-centred. This is also made better by the fact that most minority groups, if not all have been included in the National constitutional Review Process. This is a national exercise seeking to repeal an oppressive document that has trodden on the minorities rights for forty one years since independence. Among major issues aimed at redressing the previous imbalances is the policy on affirmative action, gender equality, free & compulsory primary education, devolution of power to regions, human rights issues, environment, land rights and cultural reforms among others.

This new development sheds a ray of light to the future of minorities in Kenya. But all these can only be advocated for successfully by keeping the present government and successive future governments on their toes and accountable. It is not just not enough to have intact laws, the problem is how to keep them functional.

Towards this end, a number of activities need to be implemented in order to achieve the goal for the Muslim minority community in my country. I therefore recommend that the Kenyan government:-

1. Establish programmes to mobilize the Muslim minorities through media, public meetings and literature to demand for their rights.
2. Conduct reform trainings among our people to create awareness on their rights.
3. Equip trainer of trainers who will in turn enlighten our people on civil rights issues and of minority rights.
4. Equip the leaders of the new devolved regional governments, as envisaged in the new constitution, in order to run their jurisdictions effectively and efficiently.
5. Build capacities among civil rights bodies and civil society organisation involved in the advancement of the rights of Minorities.

6. Assist local communities that are marginalized through infrastructural support to develop social institutions for the betterment of the minority communities e.g. colleges,schools,hospitals,cattledips,slaughter-houses,watersheds .
7. Needs to strengthen instruments for checks and balances in all its organs by keeping them alive and active to ensure that our systems do not slide into liturgical anarchy and plunder through which corruption and grabbing of state resources thrives.
8. Submit all overdue reports to the respective treaty bodies.
9. Involves all the citizens in the preparation of the reports through consultations with the civil society organisations.

It is on this note that I seek to end by appealing to the relevant UN bodies, to examine this carefully and determine how they can assist. This will be the greatest and helpful mode of intervention to Kenyan minorities.

Thank You Mr Chairman.