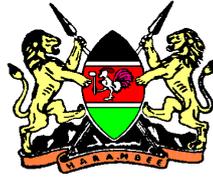


**REPUBLIC OF KENYA**



**THE PRESIDENCY  
MINISTRY OF PUBLIC SERVICE, YOUTH AND GENDER AFFAIRS**

**KENYA COUNTRY POSITION PAPER TO THE 63RD SESSION OF  
THE COMMISSION ON THE STATUS OF WOMEN (CSW63)**

**THEME: “Social Protection Systems, Access to Public Services and Sustainable  
Infrastructure for Gender Equality and the Empowerment of Women and Girls”**

**11<sup>TH</sup> – 22<sup>ND</sup> MARCH, 2019, UN HEADQUARTERS,  
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## **Abbreviations and Acronyms**

AGPO	Access to Government Procurement Opportunities
ASAL	Arid and semi-arid lands
AU	African Union
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural Rights
CLTS	Community-led total sanitation
CSPF	Consolidated Social Protection Fund
FGM	Female genital mutilation
GBV	Gender based violence
GBVRC	Gender based violence recovery centre
KENSUP	Kenya Slum Upgrading Program
KISIP	Kenya Informal Settlement Improvement Program
MDAs	Ministries, departments and agencies
MTP	Mid term plan
NGAAF	National Government Affirmative Action Fund
NHIF	National Hospital Insurance Fund
NMK	Njaa Marufuku Kenya
NSPP	National Social Protection Policy
ODF	Open defecation free
OVC	Orphans and vulnerable children
PPP	Public Private Partnerships
SDG	Sustainable Development Goal
UHC	Universal health coverage
UNCRC	United Nations Convention on the Rights of the Child
UNSCR	UN Security Council Resolution
WASH	Water, sanitation and hygiene
WEP	Women Enterprise Fund

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# 1. INTRODUCTION

## 1.1 Background Information

The 63<sup>rd</sup> Session of the Commission on the Status of Women will take place from 11<sup>th</sup> – 22<sup>nd</sup> March, 2019 under the priority theme “**Social protection systems, access to public services and sustainable infrastructure for gender equality and empowerment of women and girls**”. The review theme will be the status of implementation of the agreed conclusions of the 60<sup>th</sup> session around “**Women’s empowerment and the link to sustainable development.**”

This report presents the measures undertaken by the Kenyan government to accelerate gender equality and women empowerment through social protection, public services and sustainable infrastructure development.

For purposes of this report, social protection has a wide scope capturing a variety of measures in the form of cash, in kind transfers, insurance as well as policy or legislation. These social protection measures are provided by diverse sectors and encompassed in formal and informal measures. They are designed to address concerns of social justice and exclusion including: providing relief from deprivation; preventing deprivation, enhancing incomes and capabilities.<sup>1</sup>

Social protection benefits provide important relief to women in the face of risks and contingencies, but social protection in itself does not sufficiently address the gender inequalities that lie at the root of women’s income insecurity, including their disproportionate responsibility for unpaid care and domestic work. Public services and investments in social infrastructure are essential for reducing and redistributing this work, and thereby facilitating women’s access to income through labour markets.<sup>2</sup> This report highlights some of the Government of Kenya’s gender-responsive interventions on social protection, access to public services and sustainable infrastructure.

Basic infrastructure and public services are largely provided by the State with operational management and regulatory oversight as public entities. Infrastructure is the physical, human and financial set up and organisation that is required in order to deliver these services. Infrastructure thus encompasses amenities such as roads, information and communication technologies, sanitation, electrical power and water (UN, 2018). Public services such as education, health, water and sanitation are to a great extent provided by the State – through physical infrastructure (roads, schools, hospitals, water pipes), human resources (teachers, doctors, engineers) and by putting in the requisite financial infrastructure (budgets) into place.

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<sup>1</sup> Deepta Chopra, Initiating women’s empowerment; achieving gender equality, interlinkages amongst social protection, infrastructure and public services ,September 2018 UN Women Expert Group Meeting

<sup>2</sup> Dr Shahra Razavi, CSW 2019, Connecting social protection, gender and care, Ministry of Social Affairs and Ministry of Foreign Affairs, Helsinki June 2018

## 2. NATIONAL CONTEXT

Social protection or social security is a human right and is defined as a set of policies and programs designed to reduce and prevent poverty, vulnerability and social exclusion throughout the life course.<sup>3</sup> Whilst women face some similar risks as men which are likely to expose them to poverty such as illness, unemployment and frailty due to old age, they also encounter gender specific risks including maternity, unpaid family/care work that can intercept their efforts to have an income of their own. Social protection systems are designed to respond to these contingencies by having a mix of contributory schemes and non-contributory tax financed social assistance.<sup>4</sup>

Global experience suggests that social protection programs can accelerate gender equality and women's economic empowerment through: expanding opportunities for paid work; boosting ownership of productive assets; enhancing the control over incomes; increasing social networks and raising awareness of their rights. Women's lower level participation in the paid workforce means that they have less access than men to contributory social protection systems in their own right. In most countries, women are less likely than men to receive a pension in old age and where they do, their benefit levels are usually lower.<sup>5</sup> Globally, only 41 % of mothers with newborns receive a maternity benefit.<sup>6</sup>

Achieving gender equality and women's economic empowerment through social protection programs is also a gateway to realizing broader long-term development goals including education, health, and other social and economic benefits for women, households, and the community at large. For developing economies, designing gender-responsive social protection programs becomes one of the most important steps for redressing unequal power relations between men and women. Policy and legal reform is an effective place to start as it sets a conceptual template that will consciously guide the design and implementation of social protection programs.

Over the years there have been strong government commitments to gender equality globally, but gaps persist. For instance, women in Sub Saharan Africa continue to face constraints in agricultural production and have more limited access to assets, resources and services, such as education, credit, technology, and inputs. Their labour market involvement generally continues to lag behind. Women do much more unpaid domestic work than men who are primarily engaged in paid productive work. Literacy levels remain far from universal; the situation being worse for women living in rural areas. Women's autonomy in making decisions over income and expenditures remains constrained due in large part to cultural practices rooted in patriarchy.

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<sup>3</sup> ILO 2017, World Social Protection Report 2017 – 2019. ILO Geneva UN CESCR (United Nations Committee on Economic, Social and Cultural Rights). 2008. General Comment No. 19 on the Right to Social Security: Art. 9 of the International Covenant on Economic, Social and Cultural Rights (2008). E/C.12/GC/19.

<sup>4</sup> Dr Shahra Razavi, CSW 2019, Connecting social protection, gender and care, Ministry of Social Affairs and Ministry of Foreign Affairs, Helsinki June 2018

<sup>5</sup> UN Women. 2015. *Progress of the World's Women: Transforming Economies, Realizing Rights*. New York

<sup>6</sup> ILO 2017, World Social Protection Report 2017 – 2019

Their ownership and control of long-term assets including land is limited. Women face greater challenges in gaining access to financial services in comparison to men, and this limits their economic opportunities.

The Government of Kenya's social protection measures are found in policies and actions, including legislative measures, that are geared towards enhancing the capacity of and opportunities for the poor and vulnerable in order to improve and sustain their lives, livelihoods, and welfare, and that enable income-earners to earn a reasonable level of income through decent work. They are also aimed at improving access to affordable healthcare, social security, and social assistance.

The Government of Kenya has recognised that structural inequalities are the drivers of risks and vulnerabilities that drive poverty and inequalities. As such, its measures can be termed as transformative social protection measures<sup>7</sup>. They comprise of four categories of instruments: Firstly, *provision measures* which provide relief from deprivation. This approach focuses on social assistance and covers a broad range of actions including cash transfers, food aid and responses to life-threatening emergencies to improve resilience and coping mechanisms for vulnerable groups. The second element is *preventive measures* which attempts to prevent deprivation. This approach focuses on strengthening social security and health insurance schemes and pensions. The third category of measures is *promotive* which aims to enhance incomes and capabilities. This approach seeks to strengthen interventions aimed at enhancing livelihoods and productivity, such as conditional cash transfers, public works programmes, affordable health charges, child protection services, food for work, and school feeding programs in order to reduce households' susceptibility to social risks. The fourth category is *transformative measures* that seek to address concerns of social injustice and exclusion. This approach supports the formulation of policies and the enactment of laws and regulations including the development of evidence-based programs for social protection, enforcement of a statutory minimum wage, maternity benefits, inheritance rights, anti-discrimination legislation, anti-stigma campaigns, anti-corruption legislation, policies on fee-free education, and regulations on safe classroom environments to avoid the exclusion of vulnerable children and girls.

In Kenya, some of examples of these measures include: expanding women's presence in the labour market through consistent implementation and monitoring of affirmative action for women in public and private sector; expanding access to credit, technology and inputs through capacity strengthening of farmers through the Njaa Marufuku Kenya program; favourable Huduma Bora services, reservation of 30% of government spending for women, youth and persons with disabilities; reforms to ease business registrations; the adoption of user-friendly interfaces for filing of tax returns, as well as an enabling legal environment for non-governmental organisations and community based organisations to advance women's rights and empowerment. These measures are detailed further in this report.

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<sup>7</sup> Sabates-Wheeler and Devereux 2007

### **3. LEGAL NORMATIVE FRAMEWORKS FOR SOCIAL PROTECTION**

This section of the report examines the normative legal and policy frameworks that Kenya has committed itself to internationally and domestically. These frameworks are analysed within the context of the opportunities they present towards enhancing gender equality and women's empowerment through social protection, access to public services and sustainable infrastructure.

#### **3.1 International and Regional levels**

Kenya ascribes to a range of international, regional and national normative frameworks that advance concrete measures for the realization of gender equality and empowerment of women and girls within the context of social protection, access to public services and sustainable infrastructure.

Achieving gender equality was one of the key objectives in Millennium Development Goals (2000), which articulated social protection, infrastructure and public services as some of the focus areas that can lead to gender equality and women's empowerment.

The right to social security is enshrined in several human rights instruments. Whilst the Universal Declaration of Human Rights 1948, is not legally binding it has provided the foundation for the recognition of social security rights as Article 2 enshrines the principle of freedom from discrimination. Article 25 recognises the right of everyone to an adequate standard of living, and security in the event of unemployment, sickness, disability, widowhood, old age and other lack of livelihood in circumstances beyond his or her control. Article 26 proclaims the right to free education for everyone especially at the elementary and fundamental stages of education and stipulates that education be directed to the full development of the human personality. The International Covenant on Economic, Social and Cultural Rights, 1966 has an elaborate articulation of these rights. Article 9 recognises the right of everyone to social security, Article 10 (2) recognises the right to working mothers "to adequate social security benefits." Article 10(3) requires States Parties to undertake special measures of protection and assistance for children and young persons. The right to an adequate standard of living, including adequate food, clothing and housing is provided for in Article 11; Article 12 provides for the right to the highest attainable standard of physical and mental health, whilst Article 13 provides for the right to education. The Committee on Economic, Social and Cultural Rights in General Comment 4 has also recommended that states must take the necessary steps to ensure that vulnerable or disadvantaged groups are given priority consideration in gaining access to adequate housing and related resources.

In addition, this right to social protection is articulated for specific population groups including women, children, migrant workers and persons living with disabilities. For instance, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1979) requires States Parties to eliminate discrimination against women to ensure their equal

enjoyment of the ‘right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave’ (article 11(e)); Article 11(2)(b) requires States Parties to adopt appropriate measures to introduce social benefits during maternity leave; Article 14(2) recognises the duty of States Parties to eliminate discrimination against women in rural areas and in particular to ensure to such women the right to benefit directly from social security programs. The Convention on the Rights of the Child (1989) protects all children against discrimination and requires that all actions by adults towards children be in the best interest of the child. It also recognises the right of every child to benefit from social security including social insurance. Additionally, Article 27(1) recognises the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development. Under Article 27 (2) and (3), State Parties must in accordance with national conditions and within their means take appropriate measures to assist parents to implement this right and shall in case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing.

The Convention on the Elimination of All Forms of Racial Discrimination (1965) recognises the duty of States Parties to prohibit and eliminate racial discrimination in the enjoyment among others, of the right to social security and social services in Article 5(e)(iv). The International Convention on the Protection of the Rights of All Migrant Workers and Their Families (1990) deals expressly with the social security rights of migrant workers in Articles 27 and 54. The International Labour Organisation Convention No. 102, 1952 on Social Security (Minimum Standards) Convention recognises nine specific branches of social protection systems, namely medical care, sickness benefits, unemployment benefits, old age benefits, unemployment injury benefits, family benefits, maternity benefits, invalidity benefits and survivor’s benefits. Minimum requirements are stipulated as to the coverage of the population, the content and level of benefits, the protection of the rights of contributors and beneficiaries and matters of administration. ILO Conventions 100/1951; 101/1958 and 183/2000 stipulate the principle of equal remuneration for men and women workers for work of equal value.

The Beijing Declaration and Platform for Action (1995) recognizes the importance of social protection, public services and infrastructure for poverty eradication and progress for women and girls more broadly. Under critical area of concern A<sup>8</sup>, member States committed to creating ‘social security systems wherever they do not exist, or review them with a view to placing individual women and men on an equal footing, at every stage of their lives’. The critical role of infrastructure was recognized under areas F<sup>9</sup> and K<sup>10</sup> where member States were called upon to ‘provide public infrastructure to ensure equal market access for women and men entrepreneurs’ and to ‘support the development of women’s equal access to housing infrastructure, safe water, and sustainable and affordable energy technologies, such as wind, solar, biomass and other renewable sources.’

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<sup>8</sup> Beijing Platform for Action critical area of concern on women and poverty.

<sup>9</sup> Beijing Platform of Action Critical area of Women and the economy

<sup>10</sup> Beijing Platform of Action Critical area of concern on Women and the environment

In 2010, the General Assembly recognized that safe and clean drinking water and sanitation was a human right ‘essential for the full enjoyment of life and all human rights’. Social protection systems, public services and sustainable infrastructure are critical for the realization of these and other rights. Further, the Committee on Economic, Social and Cultural Rights (CESCR) has underscored that the realization of economic and social rights depends on the availability, accessibility, affordability and quality of related services as well as on the adequacy of social protection benefits, such as pensions, family allowances or unemployment benefits.

The 2030 Agenda for Sustainable Development affirms the crucial importance of gender equality and the empowerment of all women and girls as both a goal in its own right and a key ingredient of success across the Agenda as a whole. Social protection, public services and sustainable infrastructure are integral elements of the 2030 Agenda and critical for achieving gender equality and sustainable development across all 17 Goals. In more specific terms; SDG 5 explicitly acknowledges the importance of ‘public services, infrastructure and social protection policies’ under Target 5.4 on unpaid care and domestic work; SDG 1 underlines the urgency of building social protection systems and measures for all; SDG 2 emphasises the importance of ending hunger; SDG 3 commits to attaining good health and wellbeing; SDG 4 on Inclusive and equitable education; SDG 5; on gender equality; SDG 6 on Clean water and sanitation, SDG 8 around decent work and economic growth; SDG 9 commits to the development of quality, reliable, sustainable and resilient infrastructure with a focus on affordable and equitable access for all; and, SDG 10 calls for fiscal, wage and social protection policies to progressively achieve greater equality.

Social protection for human security protects citizens and assists them towards a secured living. The United Nations Security Council Resolution 1325, was adopted in 2000 and has reaffirmed the crucial role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and post-conflict reconstruction, and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

The African Charter on Human and Peoples Rights does not have an express provision recognising the right to social security. However, certain aspects of the right may be derived from Article 16 on the right to health and Article 18(4) on the right of the aged and persons living with disabilities to special measures of protection. The African Charter on the Rights and Welfare of the Child (AU, adopted 1990, effective 1999) complements the UNCRC with input on African values and recommends affirmative action for girls’ education.

The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (2003), commonly referred to as the Maputo Protocol, has been referred to as the African women’s bill of rights,<sup>11</sup> as it contains a comprehensive range of economic, social and political protections. It requires States Parties to combat all forms of discrimination against women through appropriate legislative, institutional and other measures. It covers a range of

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<sup>11</sup> Women, Gender and Development Directorate (WGDD) of the African Union Commission: “Maputo Protocol on Women’s Rights: A Living Document for Women’s Human Rights in Africa.”

rights including: elimination of discrimination against women; right to dignity; right to life, integrity and security of the person; elimination of harmful practices; marriage; separation, divorce and annulment of marriage; access to justice and equal protection before the law; right to participation in political and decision-making processes; right to peace; protection of women in armed conflict; right to education and training; economic and social welfare rights; health reproductive rights, right to food security; right to adequate housing; right to positive cultural context; right to a healthy and sustainable environment; right to sustainable development; widows' right to inheritance; special protection of elderly women; special protection of women with disabilities; and special protection of women in distress.

AU Agenda 2063 recognizes gender inequality as a challenge in Africa that has resulted in women facing disproportionate incidences of poverty, illiteracy and disease. Kenya is in progress to realising the provisions of AU Agenda 2063, particularly Aspiration 6 that seeks to have an Africa where development is people-driven, unleashing the potential of its women and youth. This will be achieved through a multi-pronged approach highlighted in its regional and national commitments.

The East African Community Treaty of 1999 envisions the mainstreaming of gender in all endeavours and enhanced participation of women in cultural, social, political, economic and technological development. Kenya has strived to achieve the commitments spelt out in this treaty through affirmative action for women in employment and providing access to higher education to more girls which has enabled them to gain more skills.

### 3.2 National Level

Kenya has robust policies and legislation that promote social protection. The Constitution contains a comprehensive Bill of Rights. Article 43 guarantees all Kenyans their economic, social, and cultural rights. It is explicit in obligating the State to provide "appropriate social security to persons who are unable to support themselves and their dependants"<sup>12</sup> This right is closely linked to other social protection rights, including the right to healthcare, human dignity, reasonable working conditions, and access to justice. In addition, Article 43 elaborates the specific rights for every person to include the right to: the highest attainable standard of **health**, which includes the right to health care services, including reproductive health care; accessible and adequate **housing** and to reasonable standards of sanitation; be **free from hunger** and to have **adequate food** of acceptable quality; clean and safe **water** in adequate quantities; **social security** and **education**. Article 21 establishes the progressive realization of social and economic rights and obligates the State to "observe, respect, protect, promote, and fulfil the rights and fundamental freedoms in the Bill of Rights." Thus, the State must ensure that legislative, policy and other measures including the setting of standards to achieve the progressive realisation of the rights guaranteed in Article 43 are in place.

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<sup>12</sup> Article 43 (3) Constitution of Kenya

The Constitution further guarantees equality and freedom from discrimination stating that every person is equal before the law and has the right to equal protection and equal benefit of the law<sup>13</sup>. It defines equality to include the full and equal enjoyment of all rights and fundamental freedoms<sup>14</sup> and further elaborates that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.<sup>15</sup>The Constitution also directs that the State shall not discriminate directly or indirectly on any basis including “race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.”<sup>16</sup> This prohibition against discrimination is also extended to individuals.<sup>17</sup>In addition, the Constitution has stipulated the national values and principles of governance that bind all State organs, State officers and public officers and all persons whenever any of them: applies or interprets the Constitution; enacts, applies or interprets any law or makes or implements public policy decisions<sup>18</sup>. They include, “human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized.”<sup>19</sup> It assures corrective measures against historical injustices and affirms women’s legitimate claims as full citizens.

To operationalize these rights, the Government has put in place Ministries, State Departments and Agencies (MDAs) to enable effective service delivery to Kenyans at all devolved levels, noting that “national State organs shall ensure reasonable access to its services in all parts of the public so far as its appropriate having regard to the nature of the services.”<sup>20</sup>

Vision 2030 is the national long-term development blueprint that aims to transform Kenya into a newly industrialized, middle-income country providing a high quality of life to all its citizens by 2030. It has integrated social protection measures in key areas such as access to adequate social amenities, including housing, water and sanitation infrastructure and improving human settlement systems in general. Vision 2030’s goal for the water and sanitation sector is “to ensure water and improved sanitation availability and access to all by 2030.” The broad flagship project under the its social pillar addresses the needs of older persons through the establishment of a Consolidated Social Protection Fund (CSPF). The Social Protection Policy asserts the “right of every person...to social security and binds the State to provide appropriate social security to persons who are unable to support themselves and their dependents.” This right is closely linked to other social protection rights, including the right to healthcare, human dignity, reasonable working conditions, and access to justice

**Medium Term Plan (MTP) I (2008-2012):** The first phase of the implementation of Vision 2030 was MTP I through which, the government introduced a number of initiatives on gender mainstreaming and made it a standard target in all MDAs annual Performance Contracts

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<sup>13</sup> Article 27 (1) Constitution of Kenya

<sup>14</sup> Article 27 (2) Constitution of Kenya

<sup>15</sup> Article 27 (3) Constitution of Kenya

<sup>16</sup> Article 27 (4) Constitution of Kenya

<sup>17</sup> Article 27(5) Constitution of Kenya

<sup>18</sup> Article 10 (1) Constitution of Kenya 2010

<sup>19</sup> Article 10(2) b Constitution of Kenya 2010

<sup>20</sup> Article 6 (3) Constitution of Kenya

effective 2009/10. To promote economic empowerment of women through accessible and affordable credit, the Women Enterprise Fund (WEF) was established in 2007 to support women entrepreneurs. Further, the WEF-Soko, a marketing initiative to support WEF entrepreneurs to access markets around the globe by showcasing their products on the Fund's website, was developed under MTP I.

**MTP II (2013-2017):** This aimed to build on the successes of MTP I).MTP II comprised two flagship projects on promoting gender and women's empowerment namely: Gender Mainstreaming and Women's Empowerment. Under Gender Mainstreaming, the Ministry of Devolution and Planning which was previously mandated to implement gender program, was expected to coordinate the monitoring of gender mainstreaming across MDAs to enhance the capacities of the decentralized gender functions in order to effectively push forward the gender mainstreaming agenda.

**MTP III (2018-2022)** The Kenya Constitution is emphatic on gender equality and the uplifting of the lives of all vulnerable groups. Projects outlined in this MTP III emphasize promotion of gender equality in the following programmes; Women Enterprise Fund, UWEZO Fund, National Government Affirmative Action Fund (NGAAF), Access to Government Procurement Opportunities (AGPO), Prevention and Response to Gender Based Violence, Elimination of Female Genital Mutilation (FGM), Gender Mainstreaming and Sanitary Towels Program.

**The Big Four Agenda:** The Big 4 Agenda is an action plan being implemented by the current administration which entails boosting manufacturing activities, achieving universal health coverage, enhancing food and nutrition security and supporting the construction of at least 500,000 affordable houses by 2022. In realization of the Big 4 Agenda, the government will undertake policy appraisal of both national and county governments to identify gender gaps and develop frameworks to guide in policy review to engender them. The government will pilot the guidelines in Agriculture, Housing, Manufacturing and Health Sector.

Other interventions include linking women to affordable housing and provision of affordable credit to Affirmative Action Groups for activities directed at food production, manufacturing and housing Sector. It will intensify campaigns against Gender Based Violence (GBV) and harmful cultural practices, partner with county governments and the Ministry of Health to establish Gender Based Violence Recovery Centres (GBVRC) and sensitize and link women to register with the National Hospital Insurance Fund (NHIF) and other health insurance service providers among others.

### **Right to the highest attainable standard of health**

Health risks that require a household to pay for medical treatment are of special concern to poor households. The cost of each illness, injury, or accident can range from very small, for example, covering the cost of simple medication, to astronomical, such as, for major

surgeries.<sup>21</sup> Health care and other social services play a major role in ensuring income security – people who enjoy effective access to quality public health services or are financially protected through affordable social health insurance will have higher income security than those who risk having to pay high out of pocket fees in times of need.<sup>22</sup> Women who command less economic resources face costly healthy conditions such as pregnancy and child birth and are often in charge of the health care of family members<sup>23</sup>.

Access to universal healthcare is one of the priority programs for the government. Health is a shared function between the national and county governments. The current policy framework in Kenya presents rich opportunities for the country to take decisive steps to promote empowerment of rural women and girls in a bid to move forward toward gender equality. Notable pieces of legislation and policies include

- The Health Act, 2017
- National Hospital Insurance Fund Act, 2013
- Kenya Medical Supplies Agency Act, 2013
- Kenya Health and Gender Equality Policy 2015-2030
- Kenya Health Policy 2014-2030
- Kenyan Health Sector Strategic and Investment Plan (KHSSP, July 2014 - June 2018)
- Vision 2030, Third Medium Term Plan (MTP II& III)
- The Kenyan Constitution (2010) which offers unprecedented rights for all women and girls, including rural women and girls to realize their full capacities
- Public Health Act, Cap 242
- Medical Practitioners and Dentists Act Cap 253

### **Right to housing and sanitation**

The right to housing comprises an intricate part in the realization of one of the most basic needs of a human being: shelter. The human right to adequate housing includes the right of every person to gain and sustain a safe and secure home and community in which to live in peace and dignity. The right to adequate housing entails that housing is available to all, affordable, habitable, accessible and culturally acceptable. This includes among other things: the right to security of tenure (protection against forced evictions); affordable rent or building costs; clean water, sanitation, cooking facilities; safe buildings with adequate living space; access to work, health care, schools, and other services.

Homeownership represents stability and economic development for many families and is an integral part of an individual's prosperity. Women do not enjoy on an equal footing with men the right to own property in Kenya. . Their rights to own, inherit, manage, and dispose of property are severely curtailed by patriarchal customs and attitudes, which the law does not

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<sup>21</sup> Kenya National Social Protection Policy, June 2011

<sup>22</sup> ILO 2017

<sup>23</sup> Dr Shahra Razavi, Connection social protection, gender and care

adequately address. Customary law, which often discriminates against women and limits their land and property rights, governs at least 65% of land in Kenya, and the patriarchal nature of Kenyan society often limits the rights of even those women not living on land governed by custom. Some estimates indicate that as little as 1% of land is titled in the names of women and 5-6% is titled jointly by women and men.

As part of Vision 2030, Kenya has been undertaking large-scale infrastructure developments, marked especially by extensive road construction in various towns. It has also stepped up programmes to address the housing supply deficit and to improve urban settlements through programmes such as the Kenya Slum Upgrading Programme (KENSUP) and Kenya Informal Settlement Improvement Programme (KISIP)

### **Right to water**

Access to clean and safe water relieves time burden, work and emotional stress burden particularly amongst women. Access to water for domestic and productive needs contributes to women's economic empowerment which in turn supports women's agency and ultimately facilitates social change.<sup>24</sup>

The legal and policy framework that guides Kenya's water management includes the Constitution, the Water Act 2016 which provides for provision and regulation of water and sewerage services and the National Water Policy 2018 (Final Draft) whose goal is to guide the achievement of sustainable management, development and use of water resources in Kenya, among other policies, .

The Constitution acknowledges access to clean and safe water as a basic human right and assigns the responsibility for water supply and sanitation service provision to county governments. The Act recognizes that water related functions are a shared responsibility between the national government and the county government. It also gives priority to use of abstracted water for domestic purposes over irrigation and other uses. Other key provisions in the Constitution that touch upon water include: affirmative action programs to ensure water for marginalized groups; the responsibility of the national government for management of the use of international waters and water resources and definition of national versus county public works.

Executive Order No. 1 June 2018 attributes the function of water and sanitation management to the Ministry of Water and Sanitation. The Urban Areas and Cities Act 2011 provides for the provision of sanitation services in urban areas and cities. Kenya Environmental Sanitation and Hygiene Policy 2016-2030 Policy focuses on a range of complementary strategies devoted to ensuring universal access to improved sanitation and clean and healthy environment. Ultimately, it is the goal of this policy to ensure better health, dignity, social well-being and quality of life for all the people of Kenya. The National Open Defecation Free (ODF) Kenya

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<sup>24</sup> Nepal, multiple use water systems, Leder 2017 pg 238 (Chopra)

2020 guides the national and county government on eradication of open defecation by the year 2020

Other proposed policies include the Draft National Irrigation Policy 2012, Draft Water Storage Policy, Draft Trans-boundary Water Policy and the Draft Land Reclamation Policy 2012.

### **Social Protection and Peace**

There is a growing recognition that an understanding of the role that social services can play in reducing and warding off instability and its unique value in fostering social cohesion and inclusive development and peaceful societies. Kenya has developed some laws and policies to infuse principles of peace, cohesion and integration. The National Cohesion and Integration Act 2008 seeks to encourage national cohesion and integration by outlawing discrimination on ethnic grounds. There are also other laws such as the Security Laws Amendment Act 2018, and the Counter Terrorism Act that provides measures for the detection and prevention of terrorist activities, The National Counter Terrorism Strategy is part of this framework. Sessional Paper No. 5 of 2014 on Peace building and Conflict Management in Kenya adopted by the National Assembly in August 2015, aims to enhance coordination in prevention, mitigation and management of conflicts as well as to ensure sustained peace building processes in the most participatory, cultural sensitive, inclusive, transparent and accountable manner. The policy emphasizes the participation of rural women - as a category of often-excluded women - in peace building and conflict management at national and county levels.

The Disaster Management Policy 2018 which is benchmarked on the best practices in disaster management lays down strategies to ensure the government's commitment to enhancing research in disasters and formulation of risk reduction strategies.

### **Social protection for the elderly**

The National Policy on Older Persons and Aging 2014 seeks to provide an environment that recognizes, empowers and facilitates older persons to participate in the society and enjoy their rights, freedom and live in dignity. The policy provides a comprehensive framework to address the unique challenges that older persons in Kenya face, and recognition of their rights, as distinct right holders and participants as per Article 57 of the Constitution. This policy recognizes that older persons are an important segment of the national population whose rights must be recognized, respected, protected and promoted. A draft National Plan of Action on the implementation of this policy has been generated. The Care and Protection of Older Members of Society Bill 2018 is designed to give effect to Article 57 of the Constitution; to provide a framework for the care of older members of society; to establish a framework for the empowerment and protection of the elderly and the maintenance of their well-being, safety and security. In addition, Draft Guidelines for Establishment and Management of Older Persons' Institutions have been developed.

## **Social protection for persons living with disabilities**

Persons with disabilities and their families may be considered among the most worthy recipients of social protection due to their vulnerability to chronic poverty and social exclusion.<sup>25</sup> The Persons with Disabilities Act 2003. Its objective is to provide for the rights and rehabilitation of persons with disabilities; to achieve equalization of opportunities for persons with disabilities; and to establish the National Council for Persons with Disabilities. The National Policy for Persons with Disabilities spearheads activities that enable inclusion of persons living with disabilities in Kenya. Within the public service there is a Disability Policy and Guidelines for the Public Service (2018). A National Plan of Action on the Rights of Persons with Disabilities 2015-2022 has also been developed. In addition, there is a Sector Policy for Learners and Trainees with Disability 2018 which ensures inclusivity of all learners in basic learning institutions including those in hard to reach places; Education Assessment and Resource Centres (EARCs) for assessment of children with special needs; and promotes the inclusion of children with special needs to regular schools.

## **Right to education**

The developmental importance of social protection lies in its ability to interrupt the high levels of risk and vulnerability which not only lead to people becoming poor, but also contribute substantially to chronic poverty. The vulnerability of the chronically poor can also be reduced through education.<sup>26</sup>

Kenya has a series of laws and policies around education as follows:

- **The Basic Education Act 2013** provides for free and compulsory primary education. The Ministry of Education in its attempt to ensure no school going child is left behind has developed the National Education Sector Strategic Plan (NESSP 2018-2022) with several thematic areas including access, retention and equity. Key programmes have been designed under Gender including funding boarding facilities for girls in Arid and Semi-Arid Lands (ASALs), and addressing GBV in basic learning institutions. This will ensure girls and boys are access education in a conducive learning environment.
- **The Children's Act (2001, Revised 2007)** protects children against situations of harassment and guarantees their right to education, the provision of which shall be the responsibility of the Government of Kenya and the parents.
- **The Prohibition of Female Genital Mutilation Act, 2011** provides for necessary steps to protect women and girls from female genital mutilation which hinders access and participation of girls to education.
- **The TSC Act, 2012** imposes disciplinary measures meant to deter teachers from sexually harassing their learners which leads to girls or boys dropping out of school

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<sup>25</sup> *Social Protection and Disability: A Call for Action*. Available from: [https://www.researchgate.net/publication/263079464\\_Social\\_Protection\\_and\\_Disability\\_A\\_Call\\_for\\_Action](https://www.researchgate.net/publication/263079464_Social_Protection_and_Disability_A_Call_for_Action) [accessed Nov 29 2018].

<sup>26</sup> Andrew Shepherd, with Rachel Marcus, Armando Barrientos, Policy Paper on Social Protection 2004

- **Sessional Paper No.14 of 2012** on Reforming Education and Training Sectors in Kenya, as the Government's main policy statement on education has outlined the direction to be taken in terms of equity and equality in the provision of education.
- **The Education and Training Sector Gender Policy 2015** aims at giving clear policy direction and strategies to mainstream gender in the education sector. It prescribes equal treatment for the boy and girl child; prevention of school related gender based violence (SGBV); the eradication of harmful cultural practices like early marriages and FGM; and the breaking of publication of stereotypes about girls' performance in sciences and boys' performance in arts, subjects and humanities.
- **The Education Sector Policy on HIV and AIDS, 2014** provides for sensitization, guidance on prevention, care and support to children infected and affected by the scourge and the elimination of stigma and discrimination.
- **The School Health Policy, 2009** supports the inculcation positive values and life skills; the promotion of good nutritional status of school children; the provision of hygiene and sanitation and safe water; the provision of conducive, fully accessible and inclusive environment for children with special needs and disabilities; and the early identification of children with special needs for appropriate intervention
- **The Nomadic Education Policy 2010** gives direction on how to address the challenging issues of access, equity and equality in education in marginalized and nomadic environments. Low cost boarding schools have been set up and mobile schools established as a vehicle to address education in these areas. Feeding programmes ensure retention in schools.

## **4. PROGRAMMES AND INTERVENTIONS FOR SOCIAL PROTECTION**

This section of the report highlights some of the diverse packages Kenya has been implementing with respect to social protection. These interventions are largely led by the State. Some civil society actions are captured.

### **4.1 Social protection cash transfers**

As a social protection modality, cash transfers are important due to their regularity, predictability and liquid nature. Cash transfers are tools to reduce poverty and inequality. Research shows that cash transfers promote economic empowerment, while decreasing poverty and food insecurity. Currently, the Government of Kenya has four major cash transfer programs (non-contributory) that have nationwide coverage. Between them, they provide benefits to over 500,000 vulnerable households.

1. Cash Transfer for Orphans and Vulnerable Children (CT-OVC) aims to improve the welfare of poor households caring for orphans and vulnerable children (OVCs) and reducing poverty among the poorest segments of society. The program's main activity is providing cash payments to poor households caring for OVCs.
2. Older Persons Cash Transfer (OPCT) aims to strengthen the capacity of older people and improve their livelihoods. The program targets extremely poor households that include a member aged 65 or older who does not receive a pension.
3. Persons with Severe Disabilities Cash Transfer (PWSD-CT) aims to provide immediate relief from extreme poverty to people with severe disabilities, while enhancing their basic rights through the provision of regular cash transfers. The program targets people with severe disabilities who are unable to look after themselves and require a caregiver.
4. Hunger Safety Net Programme (HSNP) aims to reduce poverty in drought-prone arid and semi-arid regions of northern Kenya by delivering regular cash transfers to extremely poor households in four counties.

The introduction of a single registry system (SRS) for all of the government programs has made it possible check that potential beneficiaries of one cash transfer are not already benefitting from another. Through its links to the Integrated Population Registration System, the Single Registry makes it possible to confirm the validity of any identification information submitted by prospective beneficiaries, thus reducing the possibility of error or fraud.

There is also a contributory social security fund, the National Social Security Fund (NSSF), which is a State Corporation established under Cap 258 of the Laws of Kenya. It offers social security to Kenyan workers both in the formal and informal sectors. It registers members, receives their contributions, processes and pays out benefits to eligible members or dependents.

To ensure sustainability of the social protection mechanisms, the government has developed the National Social Protection Policy (NSPP), a key measure of the institutionalization of social protection in the country national development framework

## **4.2 Hunger Response interventions:**

### **Njaa Marufuku Kenya**

Njaa Marufuku<sup>27</sup> Kenya (NMK) builds the capacity of farmers to increase their productivity and improve food security at household level. It is the only school feeding programme in Africa that is led by a Ministry of Agriculture and it supports the up-scaling of private sector food security innovations through Public Private Partnerships (PPP). It targets areas that have high and medium potential to grow food and also areas that have high levels of school dropout, poor primary school performance, and high levels of malnutrition. To sustain the PPP, the government has invested Kshs 44,977,805 to finance joint activities, auditing, monitoring and evaluation, stakeholder feedback meetings and seed capital for poor beneficiaries to up-scale innovative projects and create a revolving fund for sustainability. Food procurement support by the Government is for a period of three years after which the community is expected to take over.

The programme has so far reached over 44,000 children in 66 schools. School feeding committees consisting of parents and teachers are responsible for procurement and preparation of meals. To date, NMK has supported ministries in the agricultural sector to work with 34 private sector organizations since the programme inception in 2005. These include 15 community based organizations (CBOs), 9 faith-based organizations (FBOs) , 7 non-governmental organizations (NGOs), 2 cooperative societies and 1 research institute. The supported projects include small-scale irrigation, production of high value and drought tolerant crops, animal production, agricultural produce value addition and marketing, water harvesting and environmental conservation, bee keeping, and HIV/AIDs management. These have benefited an estimated 18,000 households.

The NMK programme also provides training and fertilizers to local farmers to enable them to produce excess which they sell to schools. It has offered training to women on preparation of balanced meals using locally available foods and on value.

### **School Feeding Program**

Kenya has a long history of school feeding programs. In 1979 the government began a school milk program in collaboration with the World Food Program. This intervention started with 220,000 pupils at the pre-school and primary school level in ASALS and some schools in slums in major towns. To date, it has expanded its reach to 1.2 million children in primary schools. Some NGOs are undertaking similar feeding programs in informal settlements and impoverished communities.

To date, the school feeding program is now feeding 720,000 pupils in primary schools in food insecure regions not covered by either the Regular School Feeding Program or the Home Grown School Feeding Program. The objective is to reduce vulnerability arising from food insecurity and malnutrition occasioned by food crisis. The Government is targeting 1.3 million children in 2018.

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<sup>27</sup> Kiswahili for "hunger eradication."

### **Hunger Safety Nets**

The Hunger Safety Net Programme 2(HSNP) is a government response providing an unconditional, regular source of income that has the potential to stabilise household food consumption and free up resources for sustainable investment in areas such as livelihoods and human capital. It is one of the four government Cash Transfer programmes under the National Safety Nets Programme (NSNP). It operates under the Ministry of Devolution and Planning which is managed by the National Drought Management Authority (NDMA).

The ASALs of Northern Kenya experience high food insecurity and recurrent periods of severe drought. As a result, families often become dependent on emergency food aid or have to resort to selling off livestock in order to afford food. This weakens their livelihoods and can cause a slide into a vicious cycle of poverty. The overall objective of HSNP is to reduce extreme hunger and vulnerability by delivering regular and unconditional cash transfers of Kshs. 5,400 every two months starting from July 2016 to targeted households.

The program has been implemented in two phases. Phase one started with a pilot phase from 2008-2012, funded by the United Kingdom Department For International Development (DFID) and the Australian Department for Foreign Affairs and Trade (DFAT). It delivered regular cash transfers to 69,000 households across four counties: Marsabit, Mandera, Turkana and Wajir.

Phase two (HSNP2) of the program started in 2013 - 2018, funded by the Governments of Kenya and United Kingdom with an aim of reaching up to 100,000 households among the poorest and most vulnerable groups.

The program has provided a good platform for the women and girls to access basic needs and also for girls to be able to continue with their education.

### **The Fertilizer Cost Reduction Program**

The program focuses on fertilizer cost reduction (subsidy) under bulk procurement and fertilizer blending. Since inception of the subsidy program in 2008, a total of 1,019,920 metric tonnes of various types of fertilizers have been procured and sold to farmers at subsidized prices. During the period between 2013-2017, a total of 615,121 metric tonnes (of various types of fertilizer were procured to support price stabilization mechanism. Market prices for DAP reduced from KES 6,500 in 2008 to KES. 3,100 while CAN market price dropped from KES 3,000 in 2008 to KES 2,600 in 2017. This has benefited mainly small-scale farmers, majority of whom are women.

In terms of improvement of livestock production, the sector trained 619 inseminators (463 for cattle and 156 for goats) to offer Artificial Insemination services. The activity enhanced skills among the youth to make them employable in both the public and the private sector, increase livestock productivity, and improve food security and income to animal value chain actors. In addition, a total of 600 cattle, 2,680 rabbits and 2,100 sheep and goats were produced and distributed to farmers in the country.

Towards assuring food security, grain drying and storage facilities were developed at community level to address grain quality issues as well as enhance grain marketing. A total of 36 mobile grain driers were procured and distributed to thirty six (36) sub-counties in the main grain production regions. Further, a total of thirteen (13) community-based grain storage facilities were constructed in 10 counties in the last five years. Five rice mills were procured for farmers groups.

Under the National Accelerated Agricultural Input Access Programme (NAAIAP), female and child headed households are given preference when selecting resource poor farmers to be issued with the grant input package for cereal production. About 361,550 female farmers have been supported with the package and capacity building/training sessions. 461 marketing groups/cereal banks have been sensitized on the need for women/youth inclusion both at the management level as well as at the membership level.

The Agricultural Sector Development Support Programme (ASDSP) has developed County specific Gender and Social Inclusion Strategy and Guidelines and, Gender and Social Inclusion Action Plans (GSAIP) to guide gender and social inclusion in its agriculture value chain activities. Whereas the Gender and Social Inclusion Strategy has defined strategic points within the programme's prioritized value chains that offered opportunities for women and youth to participate and benefit. They include:

**(i) Value Chain Incubation Centres**

These were set up on a pilot basis in Siaya, Makueni and Nandi counties aimed at accelerating the successful development of fledging enterprises by providing entrepreneurs with an array of targeted resources and services. Individual value actors or groups of actors' business ideas were enrolled and supported in the incubation centre. During this process the incubatees were trained on business development and relevant technical skills required to operationalize their business.

**(ii) Women and youth innovation competitions**

Under this initiative, the program provided US \$ 117,500 (\$ 2500 per county) to host women and youth exhibitions in the 47 counties. This provided an opportunity for women and youth agripreneurs to showcase their innovations within the agricultural value chains. The three best agripreneurs at county level were supported to compete with their counterparts at a regional level culminating into a national competition. The exhibitions provided the women and youth with an opportunity to learn and share with their peers, and widen their partner networks for potential additional funding to expand their businesses.

**Case Study:**

***The case of the Siaya Value Chain Incubation Model: Sparrow Youth processors***

A group of 5 female youth identified a value addition opportunity in the Siaya mango value Chain. With support from ASDSP Siaya office, the group were linked to Siaya Agricultural Centre, an incubation centre, where they underwent training on business

development and mango value addition. The group adopted the name, Sparrow Youth Processors, and were later linked to Siaya Agricultural Training Development Centre who mentored and provided them with a pulp maker and other equipment at a nominal fee. The group began by purchasing mangoes during the glut season, which is characterized by low mango pricing leading to waste. The group mops off the excess mangoes and makes mango pulp, which they later convert into juice. The group makes 200 litres of mango pulp per day and earn between \$12 -15 per day from the sale of mango juice. A recent addition to the group's business venture is the production of mango wine from the mango peels – a waste product from the mango pulp production. The wine, which is still under trial, has received a lot of interest in the local market and has good business prospects. In keeping with good environmental practices the group is also aspiring to make organic manure from the mango stone.

### **Market Access Programme**

Market access for agricultural produce has been a hindrance for many farmers. During the period 2013-2017 the agriculture sector constructed 39 markets countrywide. In order to improve value addition, safety and marketing, the sector procured 49 milk coolers with annual capacity of 50 million litres to improve milk marketing and reduce post-harvest losses. The coolers were distributed to 21 Counties.

Under the Kenya Cereal Enhancement Programme, the sector operationalized the e-voucher scheme to facilitate access to agricultural inputs to vulnerable subsistence cereal farmers. The programme targets 50% women and youth as its beneficiaries. During the MTP II period 23,622 farmers accessed the e-voucher inputs.

### **Social Infrastructure**

Systemic integration of Household Methodologies (HHMs) that contribute to sustainable gender equality and women empowerment in the agriculture sector have been modelled. These methods have transformed household relations in various ways including: increased dialogue in the household; reduced workload of women resulting from more equitable distribution of workload; increased participation of all household members in productive activities resulting from more equitable access to resources including training and modern technologies as well as higher motivation of all household members in engagement of household activities resulting from more equitable distribution of benefits including income derived from household enterprises.

The key programs include the Small-Scale Dairy Commercialization Project (SDCP), Smallholder Horticulture Empowerment and Promotion project for local & up-scaling (SHEP-PLUS) and, the Project on Enhancing Gender Responsive Extension Project (PEGRES). The content of the household methodologies includes awareness creation on gender mainstreaming; farm family budgeting and group empowerment; gender analysis to identify where there are gender issues and crafting of possible solutions through action plans; facilitating equity in participation; involvement of spouses, key opinion leaders and stakeholders; participatory

learning in action (PLA); promoting 50:50 approach where men and women, including youth and older persons participate to build their capacity.

The “SHEP Approach” an extension methodology has been applauded during TICAD V for its effect of farmers’ income improvement as well as women empowerment. SHEP-PLUS is currently supporting 32 women groups with a membership of 669. The promotion and replication of the “SHEP Approach” in other African countries was prioritised as one of four pillars of Japan’s strategy for agricultural development in Africa from 2013 to 2017.

### **4.3 Health security response**

Health is a fundamental human right. Good health helps people escape poverty and is a critical factor in long term economic development. The health sector in Kenya is most developed and centred in the urban areas, where private sectors investments are the greatest, since they are not considered to yield sufficient return in the low populated areas.<sup>28</sup> Rural areas are behind in terms of healthcare development and it is the goal of the government to change this via the devolution system that has devolved public decision-making powers to the 47 counties. These disparities are witnessed for instance in Kirinyaga County (located in the central part of the country) where over eight in ten children born are delivered in a health facility whereas in Wajir County (located in one of the most remote and marginalised regions of the country) one child in twenty is born in a health facility.” In Wajir County only 12% of the deliveries are assisted by a skilled birth attendant, compared to 97% in Nyeri County. Also, in Wajir only 47% of the children were fully immunized compared to 93% in Nyeri.<sup>29</sup> According to the Kenya Demographic and Health Survey (KDHS). Health facility births are most common in urban areas (82%), implying most women in rural areas deliver at home. This has contributed to design of programs targeting rural women to enable them deliver at health facilities, thus ensuring reduction of both maternal and child mortalities. In a bid to ensure gender equality through provision of accessible healthcare the government has in place several programs. Emphasis has been placed on maternal healthcare which has been identified as a cause of maternal mortality.

Despite these regional disparities, overall improvements in the health sector have been witnessed due to key strategic investments and interventions. The government has moved to eliminate payments for primary and maternal health services in public facilities. So far, significant progress has been realized. Maternal utilization and delivery uptake increased from 52% to 60% while skilled delivery increased from 62% to 74%. Maternal mortality rate (MMR) declined from 488 to 362/100,000 and the infant mortality rate per 1000 live births has dropped from 2010 to 2015 as follows: 2010 - 42.4, 2011 - 40.3, 2012 - 39.2, 2013 - 38, 2014 - 36.6 and 2015 - 35.5 (KDHS, 2014). Deliveries at home have declined while facility deliveries continue to increase. This steady improvement can be attributed to improved access and quality of healthcare coupled with deliberate county interventions on maternal and child health.

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<sup>28</sup> Nairobi, Mombasa, Kisumu, Eldoret, Nairobi, Thika ,Nyeri, Machakos

<sup>29</sup> World Bank Group, Laying The Foundation For A Robust Health Care System In Kenya: Kenya Public Expenditure Review VOL II, December 2014, p. 1

### **The Health Insurance Subsidy Programme (HISP)**

A conditional fund has been ring fenced for the Free Maternity where funds are distributed accordingly to County Governments for free services and subsidy. The Health Insurance Subsidy Programme (HISP) is an initiative both by County and National Governments aimed at contributing to better quality of life, poverty alleviation and human development through meeting population health needs; remove financial barriers to health care and reduce incidence of catastrophic health expenditures that will be realized by Consolidating and expanding social health subsidy mechanisms with view of achieving Universal Health Coverage (UHC). The model is designed to provide quality health care while ensuring it is affordable. This project targets about 21,530 households of which 17,612 households have been registered to access health services from the hospital of their choice. The County Governments has initiatives on UHC to enhance accessibility and affordability of medical services so as to ensure no one is left behind. The latter is expected to improve the health outcomes of rural women and girls who have often faced financial barriers in achieving better healthcare.

### **Managed Equipment Service**

The government has made investments in the “*Managed Equipment Service*” whose goal is to improve access to comprehensive health services by different constituents of Kenya’s population through acquisition of the requisite infrastructure and equipment to Level 4 county hospitals (up to 100). This includes equipment for intensive care units, theatre, surgical and x-ray and imaging. These facilities will be fully equipped to enable them to provide a wide range of comprehensive health care services as per the norms and standards and to aid the prompt diagnosis of non- communicable conditions.

County Governments have continued to allocate an appreciable average of 21% of the budget to health services. In the last three (3) financial years a total of KES 200 billion out of the KES 954 billion allocated to Counties, was allocated to this sector. In terms of health personnel as at 2012, there were 874 doctors and 6620 nurses in the entire Country. Currently, there are 4,080 doctors working at County facilities and 557 doctors at national referral facilities making a growing total of 4,637 doctors. In 2012, there were only 3,757 nurses. Currently the number of nurses at County facilities stands at 24,373 while those at national referral facilities are 1,224 making a total of 25,597 nurses.

Wajir County had the first caesarean delivery at Habaswein Hospital in July 2016. Similarly, Mandera County had its first caesarean delivery at Takaba Hospital in 2014. There has been a tremendous improvement in availability of drugs and procurement of modern diagnostic and therapeutic equipment. In turn, more Kenyans have been able to access quality and affordable healthcare. Citizens can now access specialized services such as dialysis and cancer treatment at County facilities thereby easing the burden at national referral facilities

### **Linda Mama**

Linda Mama<sup>30</sup> formerly Free Maternity Services programme provides a package of basic health services accessed by all in the targeted population on the basis of need and not ability to pay,

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<sup>30</sup> Kiswahili for “protect the mother.”

positioning Kenya on the pathway to UHC. A public funded health scheme that will ensure that pregnant women and infants have access to quality and affordable health services, Linda Mama's goal is to "achieve universal access to maternal and child health services and contribute to the country's progress towards reduction of maternal and child mortality."

Linda Mama covers all the 47 counties, 2400 public health facilities serving 400,000 pregnant women. Jointly funded by the government and the United States Agency for International Development (USAID), so far KES 0.9 Billion has been spent between 2017-2018.

### **Menstrual Health Management Programme**

Menstrual health management is an important aspect of reproductive health. Many girls do not attend school during their menstrual period as they do not have access to menstrual hygiene products like sanitary towels. If not well managed, the menstruation period and the lack of sanitary towels affects girls' school attendance, confidence and overall reproductive health. Formative research shows that 65% of women and girls in Kenya are unable to afford sanitary pads; while only 32% of rural schools have a private place for girls to change their menstrual products. Only 50% of girls openly discuss menstruation at home and only 12% of girls in Kenya would be comfortable receiving the information from their mother. There are also more jarring statistics signalling that menstruation is tied to more fundamental risks and issues of gender inequity, with studies showing 2 out of 3 of sanitary towel users in rural Kenya receive them from sexual partners and 1 in 4 girls do not associate menstruation with pregnancy.

Low income women and girls across Kenya face significant barriers to high quality menstrual hygiene management. In May 2018, the County First Ladies Association launched a three-year Menstrual Health Management Program. The program is in partnership with Kenya Red Cross and African Cotton Industries focused in all the 47 counties with the aim of empowering of 1 million girls and 1 million boys. The three-year program is anchored on school retention for girls through a focus on provision of hygienic sanitary towels and dignity packs. Its empowerment component addresses appropriate disposal of used sanitary towels, improved access to gender-sensitive sanitation facilities, adolescent sexual health education, adolescent nutrition education, mentorship and psycho-education, life skills, development and policy influence that will enhance the access and distribution of the sanitary towels.

This project is intended to work towards attaining sustainable infrastructure through the County First Ladies' Associations advocacy efforts around: creation of job opportunities by showcasing the demand for cotton production necessary for local sanitary towel manufactures; the adoption of this to the supply of sanitary towels; eco-friendly management and disposal of sanitary towels through local initiatives like the Silmak Agency incinerators that would also create employment.

### **Beyond Zero Initiative**

Beyond Zero is an initiative of Kenya's First Lady, Her Excellency Margaret Kenyatta, launched in January 2014, as an advocacy platform to scale up proven interventions to improve maternal and child health. Beyond Zero is fashioned as a catalytic platform to propel and accelerate actions to improve health outcomes particularly vulnerable and marginalized groups

as well as those living in hard to reach areas. The overriding principle of the initiative is ‘No woman will die while giving birth.’

Beyond Zero complements national efforts by accelerating policy and program implementation and further, by influencing investments for strategic, high impact interventions towards zero new HIV infections and zero maternal and child deaths. It seeks to leverage on the convening power of the First Lady by mobilising partners to spearhead amongst other things: greater community and household sensitisation on adoption of preventive health practices/behaviours; to support existing health and community systems as well as catalysing innovation and accelerated action by stakeholders and political leaders to ensure that all Kenyans adopt a healthy life style. Since 2014, Beyond Zero has supported Counties to strengthen the existing outreach and referral programs by offering door to door health services through fifty-two fully kitted mobile clinics and promoting health education across all counties. The mobile clinic partly addresses access to health care services for hard to reach areas; informal settlements focusing on urban and peri-urban areas; and at risk populations

#### **4.4 Education response**

Since 2003, the Government of Kenya has prioritized its interventions around education and most notably with the introduction of fee primary education which led to an enrolment of 1.2 million admissions in primary school throughout the country. With the increased enrolments the government introduced free day secondary education in 2008 as means of improving transition rates from primary and secondary schools. This has been captured in strategies the Government has put in place to enhance access, equity, quality and relevance of education. The government is also providing education bursaries particularly at university and tertiary levels.

##### **The Higher Education Loans Board**

The Higher Education Loans Board awards bursaries to extremely needy undergraduate students who benefit from loans for direct entry. Orphans, students from single parent families and others who come from poor backgrounds are given priority for the bursaries.

At the tertiary levels, the Kenya TIVET (Technical, vocational and entrepreneurial training) Bursary Scheme is availed to students pursuing diploma and certificate courses in public universities, university colleges, public national polytechnics and institutes of technology and technical training institutes country-wide are eligible for this loan and bursary. Orphans, single parent students and others who come from poor backgrounds are given priority for the loans and or bursaries.

##### **The Presidential Secondary School Bursary**

The Presidential Secondary School Bursary (PSSB) for the orphans and vulnerable children (OVC) from poor families in Secondary Schools is administered by the OVC Secretariat as a complementary service to the CT-OVC Programme. The aim of the bursary scheme is to enhance secondary school enrolment, attendance and completion by the Orphans and Vulnerable Children in Kenya

##### **County and Constituency Funds**

Other bursary funds available include the National Government Affirmative Action Fund

(NGAAF) education bursary at country level and the Constituency Development Fund (CDF) bursary at constituency level.

### **Private sector scholarships**

There are also private sector education response interventions, such as Wings to Fly scholarship program managed by the Equity Group Foundation (EFG) in partnership with the MasterCard Foundation and offers tuition scholarships and mentoring to high-achieving yet vulnerable children in Kenya. The Co-operative Bank Foundation is also an education scholarship scheme for bright but less fortunate children who are facing difficulties in paying school fees for secondary education. It was established in 2007 as a registered trust in recognition of the need to enhance the existing Corporate Social Responsibility (CSR) initiatives by the bank.

## **4.5 Water and Sanitation Response**

The provision of water to close proximity to households saves women, children, and girl's time from walking long distances in search of the commodity. This enables them to invest valuable time in participation in formal employment opportunities, attend schools and improve their living standards, providing an opportunity for sustainable development.

The Rural Investment Program in the WSTF is mandated to finance water and sanitation projects in the underserved rural communities across Kenya. The projects funded through the Rural Investment Program focus on the poor underserved communities in Kenya who would not be able to access water through the traditional commercial-based service providers. In accordance with devolution and with pro-poor guidelines, the Rural Investment Programme is working with selected target counties namely; Garissa, Lamu, Isiolo, Tana River, Marsabit, Wajir, Nandi, Narok, Migori, Kwale, Laikipia and Tharaka Nithi. The Rural Investment Programme ensures transparent selection of communities based on need, targeting the poorest communities in Kenya. The criteria used to select the counties included the Poverty Index, the level of investment in water and sanitation infrastructure, the access to quality water services and the sanitation coverage levels.

**The National Open Defecation Free (ODF) Kenya 2020 Campaign Framework** is operational at the county levels and entails mapping and securing commitment from partners to support the development of work-plans and securing resources for attaining ODF Kenya by 2020. It is one of the key instrument aimed at fast tracking the country to achieve 100% ODF status by 2020 through: developing capacities of key sanitation stakeholders, developing an effective monitoring and evaluation system, mobilizing partners and the media to support the campaign goals, facilitating and assisting County Governments in achieving their respective ODF targets, engaging and enabling the private sector to respond effectively to the demand created for sanitation materials and products and mobilize resources to allow counties to achieve their ODF targets, by 2020.

**Community-Led Total Sanitation** introduced in Kenya by Plan Kenya in May 2007. In 2010, the Ministry of Public Health and Sanitation (MOPHS) in partnership with United Nations

International Children's Emergency Fund (UNICEF) and SNV Netherlands Development Organisation embarked on a pilot in six districts in Nyanza and Western Kenya. A team of national trainers was trained who went trained the district teams. According to a MOPHS-UNICEF report, out of 59,915 villages in Kenya, 9,126 had been triggered and 2,567 declared ODF by March 2014 as a result of the campaign<sup>31</sup>. The Water, Sanitation and Hygiene (WASH) Hub at the Ministry of Health has played a central role in coordinating, documenting and reporting on the CLTS campaign. On capacity building and backstopping support, the hub has been instrumental in spearheading county reflection workshops that have become vital mechanisms for enhancing quality of CLTS.

**Online system to monitor rural sanitation:** A web based Monitoring & Evaluation (M&E) system was developed in the first phase of this process and handed over to the Ministry of Health with the support of SNV through a contracted agency. The online portal could help coordinate monitoring of water, sanitation and hygiene (and enable public health officials in rural areas facilitate rapid acceleration of the ODF campaign. It could aid CLTS implementation processes and processing of the data to generate real-time reports for quick decision-making.

**Kenya Integrated Water Sanitation and Hygiene program (KIWASH):** this is USAID supported program combining programming with improved access to water, sanitation, and hygiene (WASH)<sup>32</sup>. In rural areas, KIWASH works with counties, WSPs, and private entrepreneurs to expand and improve operations and management of existing community drinking water systems. Further, Water Resource Users Associations are engaged to improve catchment area protection and water access, and improve sanitation and multi-use services that reinforce KIWASH interventions in nutrition. To improve access to sanitation services and reduce open defecation, KIWASH works with counties that make strong commitments to apply the community-led total sanitation (CLTS) approach and engage with private sector providers to make access to household latrines/toilets more affordable. The targeting of KIWASH activities at the county level is anticipated to impact on the livelihoods of rural women and girls through irrigation and nutrition services besides the increased access to sanitation.

#### 4.6 Social protection and peace response

Social protection for human security protects citizen for a state of helplessness and assists them towards a secured living. It is an essential component which when introduced and implemented acts as a shield that prevents people from social and economic insecurity.<sup>33</sup> Societies are vulnerable to conflict and insecurity when local institutions are unable to provide equitable

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<sup>31</sup> GoK 2015. Available at <http://www.communityledtotalsanitation.org/country/kenya>

<sup>32</sup> [www.globalwaters.org](http://www.globalwaters.org)

<sup>33</sup> Social protection and human security: [https://www.researchgate.net/publication/299445658\\_Social\\_protection\\_and\\_human\\_security](https://www.researchgate.net/publication/299445658_Social_protection_and_human_security) [accessed Dec 03 2018]

access to justice and economic opportunities. Lack of access or inequitable access to social services can be a key trigger or driver of conflict. Social services are considered peace dividends that have the potential to reduce social tensions and enhancing the citizen–state social compact.

There is a growing recognition by policymakers and practitioners at both the national and international levels that we must better understand the role that social services can play in fueling instability and conflict and, conversely, the unique value they offer in fostering social cohesion and inclusive development and peaceful societies.

Kenya has made gains on ensuring equal access to peace and security for women and girls. It has used multifaceted approach working jointly through the state and non-state actors to implement programs that would enhance women participation and protection on peace and security. It has also formulated policies and strategies geared to reduce inequity in distribution of public resources a source of conflict in Kenya that often disproportionately impacts negatively on women, children, older persons and youth alike. In 2016, Kenya became one of 60 countries to have developed an action plan to support the implementation of United Nations Security Council Resolution 1325 (UNSCR 1325), on women, peace and security. Kenya's National Action Plan, is titled 'Kuhusisha Wanawake ni Kudumisha Amani' (meaning 'to involve women is to sustain peace'). Both national and sub national governments are supporting the implementation of the Kenya National Action Plan (KNAP) on UNSCR 1325 on Women, Peace Building and Security through engendering peace processes. KNAP has both an internal and external focus and encompasses all the four pillars of UNSCR 1325: Participation and Promotion; Prevention; Protection; as well as Relief and Recovery. The Action plan acknowledges that women can play specific roles in this regard; particularly given their unique access and influence in the household and community. The inclusivity of the National Action Plan is commendable particularly the call to civil society organizations, academic and research institutions for research into the impact of conflict on Kenya's women and their roles, practices, and involvement. Further, peace structures have been set up at all levels within government and communities to coordinate peace building and conflict management initiatives, develop and implement intervention strategies. The Government has also: integrated gender into the national early warning and early response systems; supported capacity building of 50 organizations implementing peace projects in Kenya to mainstream gender in their peace building initiatives; establishment and institutional strengthening of Kenya Association of Women in Policing and mainstreaming gender into the on-going security sector reforms; capacity enhancement for 100 Kenya Red Cross staff in Dadaab refugee camp on gender mainstreaming and the prevention of gender-based violence and sexual abuse and exploitation, towards integration into programs and humanitarian response programs.

The Institute of Peace Support Training Centre (IPSTC) is an international training and research centre that conducts training, education and research as well as informing military, police and civilian personnel on all aspects of peace support operations in order to improve the effectiveness of their response to complex emergencies. The IPSTC has offered capacity and training on various key agencies and themes including: Local Initiative on Community Peace

building in Turkana, Marsabit and West Pokot conducted in Kiswahili; Women Leadership in Peace and Security for the police, prisons, CSOs and has been cascaded to the conflict prone counties: trained over 100 women mediators; 2018-2019 Livelihoods Initiative to empower women both socially and economically

#### **4.7 Social justice and inclusion responses**

Widows often have a number of vulnerabilities such as financial instability, and the risk of losing homes and other family property that was registered in the husband's name. Recognising that widows comprise a population segment that is marginalised, and in line with international commemoration of International Widows Day, Kenya hosted its first celebration of the Day in 2016. The most recent census in 2009 revealed that Kenya had approximately 895,000 widows, and it is likely that over the years the number has increased substantively. The government's recognition of the risks and vulnerabilities of widows has dedicated 23<sup>rd</sup> June as the annual day for such commemoration ensuring that the plight and challenges of widows are publicly acknowledged and appropriate responses made.

The introduction of a Gender Violence Hotline has enabled widows to report cases such as eviction by in-laws and other GBV cases. There is also provision for their accommodation in safe houses for a period of two weeks.

#### **Uwezo Fund**

The Uwezo (Ability) Fund is a specific intervention under the youth skills development, and women empowerment flagship projects aimed at enabling women, youth and persons with disabilities access finances to promote their businesses and enterprises, thereby enhancing economic growth towards realization of vision 2030. The objective of the Fund is to empower youth and women by providing free interest loans as start-up capital for small and micro business of varying amounts not exceeding KES. 500,000. Only a 3% one-off administration fee is deducted from each loan while KES 500 Million is used for capacity building of groups to equip recipients with skills and market linkages necessary to manage group enterprises. The fund adopts a hybrid concept of the table banking and revolving funds, designed to ensure that women and youth groups are able to employ available resources for credit, while similarly promoting and sustaining a savings culture. It models an alternative framework in funding community driven development. The Fund, through its capacity building programmes provides information on how the beneficiaries can take advantage of the 30% government procurement opportunities.

The specific strategies focus on capacity building to increase fund absorption, improving operational systems and leverage on ICTs and partnership development.

In the next five years, Uwezo Fund will expand access to finances by KES 2.5 billion to 500,000 beneficiaries. Capacity building will also be undertaken to all the beneficiaries. The fund will facilitate exchange programmes amongst groups for learning and benchmarking

## **The Women Enterprise Fund**

The Women Enterprise Fund (WEF) established in 2007 is 100% Government funded. The Fund which is a flagship project under Kenya's Vision 2030 provides a holistic integrated approach to addressing the challenges women face in starting or expanding their enterprises especially with regard to lack of capital, low financial literacy, accessibility to markets, decent work spaces and linkages with big enterprises. The Fund has also weaned off several beneficiaries linking them as they mature and grow to access micro-finance credit and other financial services. The Fund has been successful in promoting women empowerment and gender equality by reducing barriers and impediments that hinder access to financial services. It has enhanced women's capabilities through financial literacy as well as ensuring active participation of women in socio-economic development of the country and positive growth among women owned enterprises.

### **4.8 Civil Society Initiatives**

#### **4.8.1 Chama Women's Programme (Merry-Go-Round)**

Women's organising for solidarity, income security and building resilience to shield them from livelihood shocks can be seen through Kenya's old model of "chamas". "Chama" is a Swahili term that refers to an investment group often with female members. When the term was coined, chamas were a space for members to convene, share experiences, learn from each other, forge friendships and contribute a specific amount of money monthly. Each month a person would receive the money and use it for project or whatever investment they wanted to make. The cycle would go on until all members in the group get money and the process starts all over again – hence the term "merry-go-round".

Chamas were initiated in 1963 after independence as a collective way of assisting one another. At the time, most interventions were around acquiring iron sheets to replace grass-thatched houses, water tanks for safe water and also purchase household goods like furniture, utensils. This in turn was able to enhance home economics.

Through Maendeleo ya Wanawake Organisation, at least 25,000 chamas of 25 members each have benefited from this program. This model has been replicated by several civil society organisations and has been found to be a vehicle for economic empowerment at household levels. For instance, GROOTS Kenya has managed to initiate the formation of 3500 women groups of chama programs.

The merry-go-round chama is not only a good saving vehicle but has also provided a social safety net for women at all levels. For instance, social gatherings such as child birth, child naming all the way to the last respect.

#### **4.8.2 GROOTS Kenya**

Women's organising as rights holders is witnessed through enhancing their collective capabilities to interrogate legislative and policy frameworks from a gendered lens to claim and protect their rights. GROOTS (Grassroots Organizations Operating Together in Sisterhood)

Kenya is a grassroots movement aiming at empowering grassroots women to achieve their objectives by partnering with other stakeholders including the government. On social protection GROOTS Kenya has been training women on existing laws, policies and gains. Which include the constitution talks about equal responsibilities for women in leadership and not more than 2/3 of any gender in the boards. Article 4 of the Bills of Rights talks about the elimination of gender discrimination this has helped grassroots women to be in decision making positions.

Come Together Widows and Orphans Organization is a platform for widows to organize themselves into groups where they meet and share their loss and grief as one way of life re-entry after the death of their spouses. This creates a conducive environment for widows to vent out and socialize with fellow widows and members of the community. The organization also transforms widows' lives through Socio-Economic Empowerment programmes.

#### **4.8.3 Uwiano Platform for Peace:**

Uwiano Platform for Peace is a conflict prevention, management and response initiative being implemented in Kenya. Uwiano is a Swahili word for “pooling together”. Conceived in 2010, it provides a platform for enhanced collaboration and coordination of actors and initiatives in Kenya and contributed towards a peaceful national referendum process. Presently, the Uwiano Platform comprises 12 principal partners<sup>34</sup> who work together to scale up peace building and conflict management initiatives not only around political and electoral processes, but for sustainable peace in Kenya and beyond. As a result of this platform: there has been an increase in women chairing the District Peace Committees/ County Peace Forums including West Pokot and Turkana where women were formerly not allowed to speak in the village groups like the *Ikwokwo* but now can speak as *Wamama wa Serikali*; more women are chairing the *Nyumba Kumi* clusters; an increase in the number of women in political leadership at all levels; over 20000 women mediators distributed across the 47 counties and actively involved in mediating conflict.

## **5. PUBLIC SERVICE AND INFRASTRUCTURE**

As noted above, heavy and unequal care responsibilities borne by women restrict their time, energy and participation in other activities. As a result, this gendered division of labour has implications for women in terms of their ability to access education, decent formal/secure work, and the options in society and status in society. Public services and investments in social infrastructure are essential for reducing and redistributing this work, and thereby facilitating women's access to income through labour markets. For instance, extending water, electricity,

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<sup>34</sup> National Cohesion and Integration Commission (NCIC), National Steering Committee on Peace building and Conflict Management (NSC), Independent Electoral and Boundaries Commission (IEBC), National Police Service (NPS), United Nations Development Program (UNDP), UN Women, Council of Governors (COG), Office of the Registrar of Political Parties (ORPP), Inter- Religious Council of Kenya (IRCK), Peace and Development Network Trust (PeaceNet – Kenya), Kenya Private Sector Alliance (KEPSA) and Media Council of Kenya (MCK)

and sanitation to rural and marginalized urban areas, is indispensable to free up time that women and girls spend on collecting and processing water, fuel and firewood, which can compromise the effective use they can make of educational and employment opportunities thereby restoring dignity, safety and security of all citizens.

Gendered social protection measures that respond to the root causes of this insecurity require investments in public services and social infrastructure.

The government is primarily established to provide services to the public thus provision of quality, inclusive, basic services become an integral part of its mandate. The Constitution defines public service as “the collectivity of all individuals, other than State officers, performing a function within a State organ”<sup>35</sup> The Bill of Rights in article 43 provides all Kenyans with the economic and social rights which include: access to health care services; access to adequate housing; freedom from hunger; clean and safe water; social security and education.

In line with its constitutional commitments, the Government has put in place (MDAs) to enable effective service delivery to Kenyans at all devolved levels<sup>36</sup>. The public service orientation towards ensuring access and quality of services for men, women and children is guided by the constitution which imposes a duty that all public officers “address the needs of the vulnerable groups within society including women, older members of persons, persons with disabilities, children, youth, members of minority or marginalised communities and members of particular ethnic, religious or cultural communities.”<sup>37</sup> Gender equality underpins all service delivery by providing that women and men have the right to equal treatment including the right to equal opportunities in political, economic, cultural and social spheres,<sup>38</sup> with an emphasis on implementation of these rights and by all state organs state organs<sup>39</sup> Article 231(1)(i) underscores the values and principles of public service which apply to both national and county governments as well as parastatals.

In recognising the importance of shifting labour market norms on the types of jobs women and men can do, Kenya’s constitution provides progressive measures of transforming the social and economic structures making them more equitable. For instance, towards harnessing investments for human capital development within public service, the constitution provides for adequate and equal opportunities for appointment, training and advancement, at all levels of public service of: men and women; members of all ethnic groups and persons with disabilities<sup>40</sup>. The access to quality affordable public services complements government efforts to assure social protection.

The Government of Kenya, in partnership with the Kenya’s Private Sector Alliance (KEPSA) and UNICEF Kenya has piloted a responsive work environment in support of lactating mothers

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<sup>35</sup> Article 260 Constitution of Kenya

<sup>36</sup> Article 6 (3) Constitution of Kenya

<sup>37</sup> Article 21(3) constitution of Kenya

<sup>38</sup> Article 27 (3) Constitution of Kenya

<sup>39</sup> Article 21 (1) Constitution of Kenya

<sup>40</sup> Article 232 (1) i Constitution of Kenya

and pregnant women by providing them with a resting room. These lactation corners illustrate the structural models for enhancing social protection for breastfeeding mothers to ensure they stay within the formal labour market. The Ministry of Health has since 2010 put in place the Better Business Practices (BBPC). The aim of this is to improve maternal and infant nutrition through workplace support for breastfeeding female employees. The initiative focuses on lobby and advocacy for conducive workplaces to ensure that breastfeeding is promoted, supported, protected and sustained past the maternity leaves. An initiative spearheaded by KEPSA has now seen over 192 companies been trained on BBPC, more than 30 companies have committed to practice BBPC principles. To date more than 17 companies have newly equipped lactation rooms. 9 advocacy forums have been held with the government to influence policies and support regulations for breastfeeding.

### **5.1 Huduma Centres (One stop service centres)**

Enhancing the accessibility of basic services to poor, marginalized and vulnerable people can play an important role in reducing vulnerability. Many social protection entitlements are unclaimed simply because poor people are unaware of them. Strengthening transparency about services and poor people's entitlements is another critical dimension of enhancing the contribution that services can make to social protection. Without stronger emphasis on provision of information, enhanced accountability will be impossible<sup>41</sup>

Huduma Kenya program is the key government programme towards advancing citizen-centered public service delivery through a variety of channels, including deploying digital technology and establishing citizen service centers across the country. This is one of the best examples when it comes to social protection systems in Kenya. The program has been particularly successful at forging an organizational culture focused on excellence in customer service, which revolves around improving transparency, efficiency, and integrity. This organizational culture helps motivate staff and level the playing field for citizens of all backgrounds to get equal service and treatment from the same place, an important step toward enhancing accessibility and nondiscrimination. The Huduma Kenya program takes a multichannel approach, combining brick-and-mortar centers with digital service platforms to ensure that citizens with differing levels of literacy and access to the Internet are reached while still keeping pace with the latest technological developments. Some of the applications and registrations provided are on: company registration, registration of business names; single business permits; Women Enterprise fund, Youth fund, Uwezo fund; various manufacturing licenses; Kenya Bureau of Standards applications; and investor one stop shop.

Some of the notable achievements include: serving more than 45,000 citizens per day; strong positive feedback from citizens with current customer satisfaction level is 95%; increased accessibility to services by citizens (in all counties); reduced cost of accessing services by KES 12.6 billion as at April 2016 cost benefit analysis report; recipient of 12 local, continental and

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<sup>41</sup> Marcus, R., Piron, L-H. and Slaymaker, T. (2004) 'Basic services and social protection', Theme Paper 4.

global awards including the UN Public Service Award; contributed to improving the ease of doing business index from 136 to the current 92; transformed public service delivery by providing up to 70 quick, dignifying and corruption free services; been a role model with 17 African delegations on benchmarking visits; revenue collection of more than KES 15 Billion through Huduma Centres as well as a boosted renewed confidence of the Public Service among Kenyans.



52 OPERATIONAL HUDUMA CENTERS IN 47 COUNTIES			
1. GPO (Teleposta)	16. Nyandarua	31. Siaya	46. Elgeyo Marakwet
2. City Square	17. Kitui	32. Kericho	47. West Pokot
3. Makadara	18. Makueni	33. Garissa	48. Mandera
4. Kakamega	19. Meru	34. Tharaka - Nithi	49. Vihiga
5. Machakos	20. Isiolo	35. Baringo	50. Homabay
6. Kajiado	21. Nyamira	36. Kapsabet	51. Bungoma
7. Mombasa	22. Thika	37. Kirinyaga	52. Tana River
8. Kisumu	23. Wajir	38. Maralal	
9. Eldoret	24. Turkana	39. Narok	
10. Kisii	25. Busia	40. Marsabit	
11. Nakuru	26. Kitale	41. Murang'a	
12. Embu	27. Taita- Taveta	42. Lamu	
13. Nyeri	28. Kwale	43. Kilifi	
14. Eastleigh	29. Laikipia	44. Kajiado West	
15. Kibera	30. Migori	45. Bomet	

Huduma Kenya intends to leverage the program’s one stop shop approach to support delivery of the Big 4 Priorities of the Government (universal health care, food security, housing and manufacturing) through provision of: the Big 4 related services in Huduma Centre counters; utilising Huduma Mashinani outreaches to provide Big 4 related services; rolling out the Huduma on Wheels to reach the furthest Kenyans with relevant services. Huduma cards will ease payments of Government services including; NHIF, NSSF.

## 6. SUSTAINABLE INFRASTRUCTURE

Investing in the provision of and access to quality, sustainable, resilient and gender responsive infrastructure, including time and labour saving technologies, safe and affordable and accessible transport systems, affordable and sustainable modern energy and safe drinking water and sanitation is a pre-requisite for achieving many of the SDGs.

Access to sustainable infrastructure is an enabler in the realization of gender equality and empowerment of women and girls. According to UN (2018), infrastructure is defined as physical, human, financial set up and organization, that is required to deliver these services, such as roads, information and communications technologies, sanitation, electrical power, and water. It also includes ports, highways, bridges, markets, urbanization, schools and hospitals to name but a few. Other aspects of infrastructure are defined to include social infrastructure such as human capital (teachers, doctors, community mobilization networks) and financial infrastructure such as budgetary provisions for infrastructure financing. Both infrastructure and public services implies the role of the State in their provision.

Evidence indicates that investment in infrastructure, leads to socio-economic transformation of the economy and can trigger ripple effects that empower women and girls through participation in labour markets, improves investment climate, and removes trade barriers, among other benefits.

The Government of Kenya recognizes that a robust and dynamic physical and social infrastructure is critical to achieving the country's development agenda of Vision 2030 whose theme is globally competitive and prosperous Kenya. Kenya has fast-tracked its deployment of physical infrastructure throughout the country to facilitate implementation of the priority Big Four agenda (manufacturing, universal healthcare, affordable housing and food security and nutrition), in order to achieve accelerated socio-economic development.

Investment in various infrastructure projects has a direct impact on gender equality and empowerment of women and girls. For instance provision of water to close proximity to households saves women, and girls' time from walking long distances in search of the commodity. The role of national and county governments in providing sustainable infrastructure cannot be gainsaid. Also public private participation in investment and provision of infrastructure play key role in provision of infrastructure for use by all population, including women and girls. This is done through effective legislative, administrative, and policy frameworks that govern various infrastructure sectors.

Economic growth is critical for social protection: it provides both the additional incomes which allow for critical private and informal transfers and mutual support, but also the basis for public revenues which can be used as insurance and for basic social security to enhance the quality of life for citizens.

## **6.1 Energy and Information Communication Technology**

The government continues to invest in the Energy sector to improve the energy infrastructure network including development and use of renewable energy sources to create a reliable, adequate and cost effective energy supply. In 2015/16 – 2016/17, the country recorded an expanded electricity generation of 30% due to improvement in generation using wind and geothermal energy. Customer connectivity under Rural Electrification Programme expanded by 30.6% with coverage from 972,018 in 2016/17 to 1,269,510 in 2015/16. However there was overall decline in growth of the sector from 9.5% to 6.9% due to depressed generation of hydro-

electricity due to failure of short rains in 2016 and long rain in 2017. Some of the key programmes include:

### **Last Mile Connectivity Project**

This was launched in 2015, to improve electricity access to an additional 1.5 million Kenyans and was funded by the African Development Bank. The project connects about one million new customers every year and is committed to achieving over 70% access to electricity. With this progress, more women in the rural areas are now benefitting from clean renewable energy.

### **The Kenya Off-Grid Solar Access Project (KOSAP)**

The project is committed to providing solar power generated electricity to 14 rural counties that will ensure connectivity for 1.2 million households, 1030 community facilities, and 620 boreholes. This has seen more girls and women in the rural areas access power for lighting and other commercial activities

### **LPG Uptake Promotion**

This programme was initiated through the Presidential Directive Unit under the socio-economic program within the Ministry of Energy, National Oil Cooperation Kenya (NOCK) with a view to distributing liquefied petroleum gas (LPG) gas cylinders to rural Kenya. The project is committed to distributing 1.2 million cylinders to rural households in Kenya. This project will see many women adopt clean energy for cooking and thus eliminate challenges of bio fuels such as negative health impacts, economic burden, environmental degradation and pollution.

### **Kenya National Domestic Biogas Program**

As part of the clean energy interventions the program aims to harmonize integration of agriculture and energy to reducing the burden of collecting firewood on women as well as offering opportunities for employment creation in the biogas construction sector for women in rural areas. So far, the program boasts of key achievements such as: reduction of carbon dioxide (CO<sub>2</sub>) equivalent emissions (73,623 tonnes); savings on fuel wood (37,388 tonnes); savings on charcoal (13,460 tonnes); time, approximately 15 to 18 million 19 hours per saved for women and children fetching firewood and other biomass sources for cooking and heating; effort saved in cooking, warming food and water and cleaning cooking pots for about 7,700 households (over 15,000 women); quality study time for children (approx. 23,28021 children served with better reading light); employment of 366 youthful Kenyans as biogas masons and 49 as field supervisors. This is in addition to other direct and indirect employment in extension, promotion, credit, microfinance and employment through biogas-related enterprise in appliances and parts as well as creation of, or support to, over 100 biogas-related enterprises, mainly in the rural areas among others.

## **Rural Electrification Program (REP)**

The program targets various rural parts of the country including trading centres, secondary schools, among other public amenities. The project has seen an increase in rural access to electricity by about 33%.

The National Government is implementing the energy project countrywide through the last mile connectivity project. The aim of the initiative started in 2015 is to ensure affordable electricity connections to households and achieving over 70% connectivity by 2017 and universal access by 2020. It was intended to cover 314,200 households or 1.5 million Kenyans by 2017. The second and third phases will cover an additional of 500,000 households.<sup>42</sup>

The benefits of the connectivity are immense, and include:

- Positively influence the agricultural sectors. Farmers, mainly women who are the majority will benefit from cooling storage for fish, meat and milk among other products. This will increase productivity and boost good health, and nutrition of families.
- Connectivity leads to increased time and efficiency for business activities.
- Improves security through prolonged hours of lighting, thus reducing crime
- Eliminate the negative health effects from indoor air pollution and fire accidents that emanate from the use of conventional alternatives such as candles and kerosene lamps, mostly used by women;
- School going children will benefit by studying and doing their assignments after dusk. This will lead to better grades, better jobs and a generally better quality of life for them.
- Connectivity will create many employment opportunities and improve the living standards of women, men, boys and girls, thus leading to sustainable development

### **Case study. Use and access to energy by women and girls**

On Rusinga Island, community members have been provided with solar lighting systems. Rural women benefit from this project in numerous ways. Wasgany (not her real name) had this to say: “As a woman, I feel I now belong to this world. Solar lighting has enabled me expand my business since I am able to package my merchandise in the night and sell them during the day, I am not stressed by kerosene and all the money I save can now comfortably cater for my domestic needs. I really feel empowered and at par with other women who live in the cities.”

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<sup>42</sup> Kenya Power

already operational and benefiting both men and women, thus increasing their mobility to undertake various socio-economic activities to support their livelihoods. The number of customers connected to electricity increased from 802,249 to 6,182,282 between 2006 and 2016.<sup>43</sup>

### **Last Mile Internet Fibre Connectivity**

The Government has continued to invest in the National Optic Fibre Backbone Infrastructure (NOFBI) across the country, with the aim of increasing cost-effective access to internet services. This has led to the value of information and communication technology (ICT) output increasing by 10.9% to Kshs 345.1 billion in 2017. By bringing services closer to the people through technology and internet access, the government relationship with its citizens is redefined as these are mechanisms to empower citizens with real time access to information. The total wired and wireless internet subscriptions increased by 25.0% to 33.4 million in 2017 from 26.7 million in 2016 with total digital subscriptions increased by 12.4% to 4.9 million in 2017 from 4.4 million in 2016

### **Technology and Digital Platforms Infrastructure (Mobile phone technology)**

Mobile penetration measured by subscriptions improved to 91.9 per 100 inhabitants from 85.9 in 2016. Prepaid subscriptions per 100 inhabitants increased to 88.9 in 2017 from 82.8 in 2016. Mobile commerce transactions grew by 85.5% from KES 1.8 trillion in 2016 to KES 3.2 trillion in 2017. Total mobile money transfers increased by 8.4% from KES 3,356 billion in 2016 to KES 3,638 billion in 2017.

The average price of a one minute mobile to mobile call declined marginally from KES 3.08 in 2016 to KES 3.00 in 2017. Similarly, international calls through mobile phone to countries operating within the One Area Network had lower charges compared to those operating outside the framework which charged higher tariffs (Economic survey, 2018)

### **Indicators Measuring Gender Equality in ICT 2012, 2014 and 2016**

Indicators	2012		2014		2016*	
	Female	Male	Female	Male	Female	Male
Fixed Tel lines per 100 inhabitants	1.28	1.31	0.83	0.85	0.32	0.32
Mobile Cellular Tel subscriptions per 100 inhabitants	148.35	151.13	155.19	157.18	170.45	173.27
Internet subscribers per 100 inhabitants (wireless and fixed)	41.47	42.25	75.92	77.28	116.68	118.61
Broadband subscriptions per 100 inhabitants (fixed and wired)	9.28	9.45	19.58	19.93	55.55	56.47
Mobile money subscriptions per 100 inhabitants	94.17	95.95	120.08	122.23	139.91	142.22

<sup>43</sup> KIPPRA

**Source: Kenya Economic Survey 2017**

The table shows narrow gender gap with men performing slightly better than women in all the indicators. Gender disparity in mobile penetration was consistently about 2.8 percentage points over the last 5 years. Mobile money penetration had an average gender disparity of about 2.1 percentage points over the same period. The penetration rate of fixed telephone had the least gender gap of 0.01 percentage points.

## **6.2 Partnerships with private sector on energy**

### **M-Kopa**

M-Kopa is a locally based electricity provision firm which uses embedded GSM and mobile payments to revolutionize asset financing electricity. Its service platform offers combination of accounting, customer relationship management and inventory tracking in one complete system. Customers buy the solar home system on an affordable M-Kopa payment plan, with an initial deposit followed by daily payments for up to one year. After completing payments, customers own the product outright. As of January 2018, M-Kopa has connected over 600,000 homes to affordable solar power. Current customers will make projected savings of US\$ 450M over the next four years. M-Kopa customers will enjoy 75 million hours of kerosene- free lighting per month.<sup>44</sup>

### **D-lights**

These lights provide solar-powered solutions for people without access to reliable electricity. The company also distributes solar lighting brand for households and small businesses in off-grid communities. The Company ensures rural access to clean and reliable sources of energy to improve quality of life and promote save on costs going towards kerosene for lighting purposes. With this technology, more girls and women in the rural areas stand to benefit from the clean, safe and reliable sources of energy so provided.<sup>45</sup>

### **Jiko koa**

This is a fuel-efficient, clean-burning cook stove that integrates advanced technology and user-centric design with low-cost, locally-based manufacturing. The stove is described as advanced, fuel-efficient, and affordable. The stove cooks twice as fast with half the charcoal. The technology uses a high-efficiency combustion chamber, light-weight ceramic insulation, and cool-touch handles to create a faster cooking, cleaner burning, safer and more economical. It reduces the amount of charcoal used by 60% and reduces smoke and harmful emissions by more than 60%. Women, especially those living in the rural areas stand to benefit more from this technology.

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<sup>44</sup> <http://solar.m-kopa.com/about/our-technology/>

<sup>45</sup> [www.dlight.com](http://www.dlight.com)

### **6.3 Water and sewerage infrastructure development programme**

In water resources management and water and sewerage infrastructure development programmes the achievements have been;

- Increased national water coverage from 53.3% in 2013/2014 to 60% in 2016/2017 (additional 5.3 Million people)
- Increased Sewerage coverage in urban areas by 3% ( from 22.1% to 25% i.e additional 1.3 Million People)
- A total 450,333 people have improved access to water services and 10,150 people have improved access to sanitation services in marginalized and underserved areas;
- The social flat rate tariffs were also adopted to make water affordable to the poor
- Strong pro poor focus on access to water and on-site sanitation
- Establishment of information systems for reliable reporting
- The households having access to improved water sources increased from 61.5% to 72.6% while those using electricity for lighting increased from 15.7% to 41.1% in the same period<sup>46</sup>

### **6.4 Housing and sanitation**

On housing, the National government through the Department of Public Works has also undertaken several housing projects, including civil servant housing scheme and slum upgrading projects. Slum upgrading will lead to decent housing that will translate to better socio-economic conditions, that will benefit women in terms of extended business hours, better sanitation, improved security due to better street lighting and water supply that accompany better housing conditions. Due to better sanitation and supply of water, waterborne related diseases will be reduced that improving maternal, child and neonatal mortality rates in slum upgraded areas.

- At the County level. There was provision of solar power which increased from 163 to 232, power from the national grid from 365 to 455, standby generator from 93 to 126, and running water from 453 to 626 from 2013 to 2016.
- For maternal and neonatal, there was an increased investment in equipment which led to increased incubators and maternity wards from 207 to 295 and from 3,496 to 4213, from 2013 to 2016, in Kenyan counties. Health utility vehicles also increased from 197 to 247, and ambulances from 274 to 417 from 2013 to 2016 respectively. This had great improvements in health outcomes for women, which enhanced hospital deliveries increased from 43% in 2008/2009 to 61% in 2014. Additionally, due to the above health intervention in provision of health infrastructure, increased investment and recruitment of health staff led to the decrease of child mortality rate from 56 in 2012 to 49 per 1000 live births, in 2015.

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<sup>46</sup> KIPPRA

- Since implementation of devolved system of government, five years now, a total of approximately 87,000 kilo meters of road have been constructed. A total of bridges have also been constructed, and by 2016, 324 had been constructed.
  - The above infrastructure has eased movement especially. of women and girls to access other services/areas such as markets, hospitals, and water among others
- On the side of Agriculture, women in rural areas make a bigger proportion in labour provision at the farm level. Often, they do not own land, but they work on the land, and their labour has been largely unpaid. Some good progress has been made such as provision of 322 tractors by 2016 by County governments to assist in reduction in time required to prepare the land for planting, thus increasing crop yields, and ensuring good nutrition and food security, in line with government's top 4 big agenda of ensuring food security and improved nutrition for better human development.