

**REPUBLIC OF KENYA**



**THE PRESIDENCY**

**MINISTRY OF PUBLIC SERVICE, YOUTH AND GENDER**

**Twenty- fifth anniversary of the Fourth  
World Conference on Women and Adoption of the  
Beijing Declaration and Platform for  
Action, 1995 (BEIJING + 25)**

**Kenya's Report**

**Progress on implementation of the Beijing  
Platform for Action – Review and Appraisal**

*Beijing + 25 – Kenya's Report*

Revised July 2019

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## LIST OF ABBREVIATIONS AND ACRONYMS

<b>AA</b>	Kenya Action Agenda
<b>ACHPR</b>	African Charter on Human and People’s Rights
<b>ASAL</b>	Arid and semi-arid lands
<b>CAJ</b>	Commission for Administration of Justice
<b>CAN</b>	Calcium Ammonium Nitrate
<b>CAT</b>	Convention against Torture
<b>CDF</b>	Constituency Development Fund
<b>CEDAW</b>	Convention on the Elimination of all forms of Discrimination Against Women
<b>CED</b>	County Education Board
<b>CEWARN</b>	Conflict Early Warning and Response Mechanism
<b>CIC</b>	Commission on the Implementation of the Constitution
<b>CIDPs</b>	County Integrated Development Plans
<b>CLTS</b>	Community-Led Total Sanitation
<b>CUFMCs</b>	Constituency Uwezo Fund Management Committees
<b>CRC</b>	Convention on the Rights of the Child
<b>CSEC</b>	Commercial Sexual Exploitation of Children
<b>CWES</b>	Constituency Women’s Enterprise Fund
<b>DAP</b>	Diammonium Phosphate
<b>DCI</b>	Department of Criminal Investigations
<b>DRR</b>	Disaster Risk Management
<b>EARCs</b>	Education Assessment & Resource Centres
<b>ECDE</b>	Early Childhood Development on Education
<b>FDSE</b>	Free Day Secondary Education
<b>FGM</b>	Female Genital Mutilation
<b>FIS</b>	Financial Intermediaries Partners
<b>FPE</b>	Free Primary Education
<b>GBV</b>	Gender Based Violence
<b>GDP</b>	Gross Domestic Product
<b>GER</b>	Gross Enrolment Rate
<b>GPOBA</b>	Global Partnership of Output Based Aid
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>IDP</b>	Internally Displaced Person
<b>IGAD</b>	Intergovernmental Authority on Development
<b>KCPE</b>	Kenya Certificate of Primary Education
<b>KCSE</b>	Kenya Certificate of Secondary Education
<b>KDHS</b>	Kenya Demographic and Health Survey
<b>KEWOPA</b>	Kenya Women Parliamentary Association
<b>KNASP</b>	Kenya National Aids Strategic Plan
<b>KNCHR</b>	Kenya National Commission on Human Rights
<b>KNES</b>	Kenya National Electrification Strategy
<b>LATF</b>	Local Authority Transfer Fund
<b>MDA</b>	Ministries, Departments and Agencies
<b>MCA</b>	Member of County Assembly

<b>MDG</b>	Millennium Development Goals
<b>MOH</b>	Ministry of Health
<b>MoPSYGA</b>	Ministry of Public Service, Youth and Gender Affairs
<b>MTP</b>	Medium Term Plan
<b>MW</b>	Megawatts
<b>NALEAP</b>	National Legal Aid and Awareness Program
<b>NCCAP</b>	National Climate Change Action Plan
<b>NCIC</b>	National Cohesion and Integration Commission
<b>NGAAF</b>	National Government Affirmative Action Fund
<b>NGEC</b>	National Gender and Equality Commission
<b>OCSEA</b>	Online Child Sexual Exploitation and Abuse
<b>ODF</b>	Open Defecation Free
<b>OVC</b>	Orphans and Vulnerable Children
<b>PFM</b>	Public Finance Management
<b>PWD</b>	Person's with Disability
<b>PMTCT</b>	Prevention of Mother to Child Transmission
<b>SACCOs</b>	Savings and Credit Cooperative Society
<b>SDGs</b>	Sustainable Development Goals
<b>SGBV</b>	Sexual and Gender Based Violence
<b>SMT</b>	Science Maths and Technology
<b>SNV</b>	Stichting Nederlandse Vrijwilligers (Netherlands Development Organization)
<b>SOA</b>	Sexual Offences Act
<b>SOPs</b>	Standard Operating Procedures
<b>SP</b>	Social Protection
<b>SRGBV</b>	School-related Gender Based Violence
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNSCR</b>	United Nations Security Council Resolutions
<b>VAW</b>	Violence Against Women
<b>WASH</b>	Water, Sanitation and Hygiene
<b>WEF</b>	Women Enterprise Fund
<b>WHRDs</b>	Women Human Rights Defenders
<b>WSTF</b>	Water Sector Trust Fund
<b>YEDF</b>	Youth Enterprise Development Fund

## EXECUTIVE SUMMARY

Building on the 2014 Kenya Country report on Beijing Declaration and Platform for Action plus 20, this report focuses on the last five years of implementation of commitments. The report demonstrates critical achievements, challenges and opportunities to accelerate realization of gender equality and empowerment of women and girls. The report takes cognizance of the interlinkages between the twelve critical areas of concern of the BPfA and the 2030 Agenda on sustainable development, thus highlighting how the two reinforce progress for all women and girls.

This report demonstrates Kenya's commitment to gender equality and empowerment of women and girls. These commitments are enshrined in the Constitution 2010. Article 27 of the Constitution 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>1</sup>. It defines equality to include the full and equal enjoyment of all rights and fundamental freedoms<sup>2</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>3</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>4</sup> This prohibition against discrimination is also extended to individuals.<sup>5</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>6</sup>. They include, "human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized."<sup>7</sup> It assures corrective measures against historical injustices and affirms women's legitimate claims as full citizens.

Since the last review of the BPFfA, the Government of Kenya continues to undertake initiatives aimed at promoting gender equality and empowerment of women as set in its Vision 2030, Kenya's Blue print for development. Kenya Vision 2030 is implemented in 5 year-development phases and gender equality and women's empowerment is engrained throughout the Medium-Term Plans.

The current Medium-Term Plan 111 (2018 – 2022) builds on the successes of the first and second plans and outlines flagship projects for the promotion of gender equality in the following programmes;

- I. Women Economic Empowerment:** Through Women Enterprise Fund, UWEZO Fund, National Government Affirmative Action Fund (NGAAF), Access to Government Procurement Opportunities (AGPO);
- II. Prevention and Response to Gender Based Violence;**
- III. Elimination of Female Genital Mutilation (FGM) and other harmful practices;**
- IV. Gender Mainstreaming and empowerment of the girl child.**

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

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

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

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

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

<sup>6</sup> Article 10 (1) Constitution of Kenya 2010

<sup>7</sup> Article 10(2) b Constitution of Kenya 2010

Kenya's measures are also reinforced by the Sustainable Development Goals and Africa's Agenda 2063 that recognizes gender inequality as a challenge in Africa has resulted in women facing disproportionate incidences of poverty, illiteracy and diseases. Kenya is on its way to realizing the provisions of African Union Agenda particularly aspiration 6 which seeks to have an Africa where development is people driven, unleashing the potential of its women and youth. The Government of Kenya is currently implementing a development agenda dubbed "Big Four Agenda." This is an action plan being implemented by the Government 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. The implementation of the Big 4 Agenda will enhance gender equality and the empowerment of women. In this regard, the government is focusing on policy appraisal of both national and county governments to identify gender gaps and develop frameworks to guide in policy review for gender responsiveness.

The SDGs and Global and Africa continental commitments provide an opportunity to strengthen Kenya's efforts to advance gender equality and women's empowerment. However, the continued patriarchal and other social cultural factors that have determined the deep-rooted and entrenched gender norms and discrimination in both the private and public spheres remain a hindrance to the full realization of gender equality and empowerment of women and girls. While challenges based on patriarchal notions, still abound, there has been marked progress on a number of fronts as outlined in this report.

This report is comprised of four sections:

**Section one** highlights priorities, achievements, the challenges and setbacks in the implementation of the BPfA for the period under review.

**Section two** provides a detailed analysis of measures undertaken to advance gender equality across the twelve critical areas of concern: women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, women and the media, women and the environment, and the girl-child. To the extent possible, there are concrete examples of the measures undertaken for each of the areas, including the challenges encountered and the accomplished achievements.

**Section three** covers the national machinery and its strategic plan for implementation and realization of gender equality and the empowerment of women, as well as the formal mechanisms for the participation of various stakeholders.

**Section four** highlights the progress on the availability of data and statistics and monitoring the implementation of the Beijing Declaration and Platform for Action in alignment with the 2030 Agenda for Sustainable Development.

A concluding section has been provided at the end of the report. It provides key highlights and analysis in relation to the context that underpins Kenya's achievements, priorities and challenges in accelerating gender equality and empowerment of women and girls.

## Section One: Priorities, achievements, challenges and setbacks

### 1. What have been the most important achievements, challenges and set-backs in progress towards gender equality and the empowerment of women over the past 5 years?

*In answering this question, please explain why your country considers these important, how it has addressed them, the challenges encountered and the factors that have enabled progress or led to set-backs in each case.*

The Government of Kenya has set a number of priorities in accelerating gender equality and women's empowerment. The priorities highlighted in this section are in line with Kenya's economic growth and development plans based on the Constitution, Kenya Vision 2030 and its Medium-Term Plans and the Government's Big Four Agenda. Through the Medium-

Term Plans that focus on gender equality and women's empowerment the government recognizes the possible hidden gender biases as economic growth does not often create benefits for all, especially women, children, and the most marginalized groups.

The Governments focus on gender equality and empowerment of women is undertaken in the context of the following areas as analyzed below:

#### **Social and physical infrastructure**

Kenya's development priorities focus on public investment in social as well as physical infrastructure. Social infrastructure relates to education, health provision (Universal health coverage), where this refers to services as well as the buildings and facilities in which these are delivered. Physical infrastructure focuses on the physical assets, such as the provision of water supply, housing, roads and other means of transport and communication as outlined in Kenya's Big Four Agenda. The Agenda argues for investing in social as well as physical infrastructure and makes a projection for employment impact by investing in social infrastructure, specifically health, agriculture and food security and in physical infrastructure, specifically in construction.

Evidence<sup>8</sup> indicates that development of physical infrastructures creates employment for women and reduces the drudgery that is associated with time spent on unpaid care work thereby enabling women to enter labor market and for girls to spend more time in school. This is in line with policies that recognize, reduce and redistribute unpaid care work for women and girls. Unpaid care responsibilities for both girls and boys begin at an early age with the gap increasing for girls and women throughout their lifecycle. Unpaid care work forms a huge part of women's labor time and that women's disproportionate bearing of unpaid care work constitutes a root cause of their social and economic inequalities. The gaps in unpaid care time translate directly to gaps in paid work time leading to a cascade of inequalities in the labor market, including gender employment gaps, jobs segregation, the gender income and wealth inequality and gaps in political representation and decision-making.

#### **Gender responsive social protection**

In line with the Social Pillar of Kenya's Vision 2030 and in alignment with the SDGs, all the sectors in the Social Pillar of the Vision have interventions on social protection, either directly or indirectly. Kenya's Constitution asserts the right of every person to social security and binds the

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<sup>8</sup> [https://www.ituc-csi.org/IMG/pdf/care\\_economy\\_2\\_en\\_web.pdf](https://www.ituc-csi.org/IMG/pdf/care_economy_2_en_web.pdf)

state to provide appropriate social security to persons who are unable to support themselves and their dependents.

In its commitment to ensure that no one is left behind, the Government continues to implement a number of social protection (SP) programmes. Such programs and interventions are implemented by different stakeholders that include Government ministries and agencies, the private sector, communities, households, and other non-state actors. The constitutionally created Equalization Fund aims at correcting the disadvantage of the previously marginalized areas. It is allocated one half percent of all revenue collection by the national government each year to provide basic services including water, roads health facilities and electricity to marginalized areas. It has ensured that regions with more development challenges receive more public resources as a way of catalyzing movement towards equality within regions and communities. Similarly the provision of free primary school education and tuition free secondary school as well the expansion of Technical and Vocational Educational Training (TVET) institutions to the village level, the Government of Kenya endeavors to ensure that children and pupils from poor backgrounds attain a decent education and life skills that equip them to compete with those from privileged backgrounds.

Kenya's investment in the social infrastructure also has the potential to reduce the burden of unpaid domestic work, if structured to capture the impact appropriately. It could therefore reduce many barriers to women's participation in the labor market and thus eventually rebalance the gender employment gap. Such a priority has potential to accelerate Kenya's achievement of Sustainable Development Goals (SDGs), particularly those relating to ensuring healthy lives (Goal 3); achieving gender equality and empowering all women and girls (Goal 5); management of water and sanitation (Goal 6); and decent work (Goal 8). As stated in the SDGs, this could contribute to "build resilient infrastructure, promote inclusive and sustainable industries and foster innovation". However, it is important that "resilient infrastructure" relates to both social infrastructure and physical infrastructure, thus contributing towards a more inclusive model of development for Kenya.

### **Food security and nutrition:**

There is a strong link between food security, good nutrition and gender. A gender approach to food security enables shifts in gender power relations and is an enabler for all people, in all age categories to benefit from, and enjoy development policies and practices to improve food security and nutrition.

Agriculture remains the backbone of Kenya's economy, directly contributing 24 per cent of the annual GDP and another 27 per cent indirect contribution (ASDSP, 2010 – 2020). The sector is therefore critical in creating employment, ensuring a healthy nation that is food sufficient and uplifting the living standards of the Kenyan people. It's against this background that Agriculture has been identified as one of the key sectors to deliver the 10 per cent annual economic growth rate envisaged in the economic pillar of the Kenya Vision 2030. The sector is the largest employer in the economy, accounting for 60 per cent of the total employment. Over 80 per cent of the population, especially those living in rural areas, derive their livelihoods mainly from agricultural related activities. Due to these reasons the Government of Kenya has continued to give agriculture a high priority as an important tool for promoting national development. More than 70 per cent of Kenyans, mostly women, derive some of their income agriculture.

Women grow the food, prepare it, store it, and sell it. In addition to bearing heavy labour burdens on the farm, women also balance household chores and child care responsibilities<sup>9</sup>. Women,

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<sup>9</sup> USAID (2017). Gender Equality and Women's Empowerment. Available at [www.usaid.gov/kenya](http://www.usaid.gov/kenya)

especially those living in rural areas, often depend on land to generate income. Yet, in Kenya, women only own one per cent of agricultural land – a small amount considering their crucial contributions to agriculture, food security and nutrition. A number of program interventions have been carried out while there are policy and intervention frameworks in place.

All the aspirations set in this priority have a direct bearing on the status of Kenyan women and girls. These are; 34 per cent increase in the average daily income of farmers; 27 per cent reduction in malnutrition among children under 5 years of age; create 1,000 agro-processing SMEs and 600,000 new jobs; 50 per cent reduction in the number of food insecure Kenyans; 48 per cent in agricultural sector contribution to GDP and 47 per cent reduction in the cost of food as a percentage of income. There are various reasons any one of these aspirations would improve the lives of women and girls. For instance, cultural traditions and social structures often mean that women are more affected by hunger and poverty than men even though women, and in particular expectant and nursing mothers, often need special or increased intake of food. There is a correlation between child hunger and a mother's condition; a mother who is stunted or underweight due to an inadequate diet often gives birth to low birth weight children.

### Achievements

**Legislative progress:** Kenya has made tremendous strides in the last five years since the last reporting of the BPfA, a situation that has been backed by a progressive Constitution and in line with fulfilment of Article 27 of the Constitution of Kenya (2010). Kenya has enacted legislation on a number of issues to advance gender equality and women's empowerment. This policy and legal frameworks have also been developed/enacted to promote, enforce and monitor equality and non-discrimination. These include National Human Rights Policy and Action Plan; National land policy; Kenya National Action Plan for the implementation of the UN Security Council Resolution 1325 (2000) on Women, Peace and Security; The Marriage Act (2014); The Matrimonial Properties Act (2013); The Protection Against Domestic Violence Act (2015); Kenya Citizenship and Immigration Act (2011); The Prohibition of Female Genital Mutilation Act (2011); The Land Act (2016); The Land Registration Act (2012); Climate Change Act (2016); The Community Land Act (2016); Health Act, 2017; The Political Parties Act (2011); Sexual Offences (Medical Treatment) Regulations (2012); and the Sexual Offences Rules of Court (2014), Computer Misuse and Cybercrimes Act, 2018 as well as the Law of Succession Act, Revised 2018(2015) . Other policies that are in the process of finalization include: Draft National Policy on Gender and Development, Draft National Equality Policy and Draft National Policy on the Eradication of Female Genital Mutilation.

The Government has put in place frameworks to operationalize key instruments and laws. For instance, the National Action Plan to operationalize the UN Security Council Resolution 1325 on Women, Peace and Security and the National Policy on Prevention and Response to Gender Based Violence. In recognition of access to health services as a critical component of women's empowerment, Kenya put in place the Community Health Policy and the Sessional Paper No. 2 of 2017 on the Kenya Health Policy 2014-2030. This specifically ensures free maternity service which has resulted to more safe deliveries with 61 percent of births being performed by skilled health providers. On education, there has been marked improvement in girls' school enrolment; achieving gender parity in primary education enrolment with marked improvement in transition from primary to secondary education.

**Women's Economic Empowerment:** The Government has put in place a number of measures aimed at empowering women and increasing their participation in the country's development in all sectors. With regard to women, poverty and the economy, significant strides have been made in improving the economic status of women. In particular through the Government catalytic funds

such as the Women's Enterprise Fund, the Youth Enterprise Fund and the Uwezo (empowerment) Fund, National Government Affirmative Action Fund among others, which have enabled women to access funds for starting or growing their business ventures without burdensome conditions. This includes enactment of procurement laws which provide that 30 percent of Government tenders should be allocated to women, the youth and persons with disability.

**The Women's Enterprise Fund (WEF)** established in 2007 through a Legal Notice no.147 as a national fund continues to provide access to affordable credit and business support services to women entrepreneurs. Since inception, the Fund has disbursed up over Ksh. 15 billion (USD 148,858,500) to women across the country

**The Uwezo (Empowerment) Fund** was established through the Public Finance Management (Uwezo Fund) Regulations, 2014; Legal Notice No. 21 of 21st February 2014. The objectives of the fund are to: expand access to finances in the promotion of youth, women and Persons with Disabilities (PWDs) businesses at the constituency level for economic growth towards the realization of the goals of Vision 2030; generate gainful self-employment for youth, women and PWDs; and model an alternative framework in funding community driven development. Since inception in 2013, the Fund has established and gazetted 290 Constituency Uwezo Fund Management Committees (CUFMCs) and disbursed Ksh. 5.1 billion (USD 50,611,890) to youth and women and persons with disability.

In line with ensuring financial inclusion and access to economic measures that would normally leave women out, the government has continued to implement the procurement opportunities program. This has been through the Access to Government Procurement Opportunities (AGPO): Article 55 on Affirmative action and the public procurement and asset disposal act 2015 which is founded in Article 227 of the constitution on the fair, equitable, transparent and cost-effective public procurement of goods and services. This program ensures that 30 percent of public procurement in every financial year is allocated to women, youth and persons with disabilities. As of April 2019, beneficiaries have received Ksh. 32.2 billion (USD 319,549,580) since its inception. To make the procurement process gender transformative, the government of Kenya put in place the Public Procurement and Asset Disposal Act in 2015, a transformative practice that Kenya has implemented for the other initiatives to ensure women's economic empowerment. The government has also prepared the Women's Economic Empowerment strategy aimed at building women's entrepreneurship and at the same time, initiated development of a Women's Economic Empowerment Policy. Also established are various girls' empowerment initiatives such as provision of free sanitary towels programme as per the Basic Education Act, 2013 amended in 2018.

These initiatives are anchored in Vision 2030 which is the Government's development Blue print; that aims to transform Kenya into a newly industrializing middle-income country providing a high quality of life to its citizens by 2030, in a clean and secure environment. The first, second and currently third Medium Term Plans for the years 2008-2012, 2013-2017 and 2018 – 2022 respectively highlight gender mainstreaming and the empowerment of women as key priorities in order to ensure equality between men and women in access to economic, social and political opportunities.

### **Institutional Development**

In line with the requirements of the BPPFA, the Government has continued to strengthen institutions charged with the responsibility of promoting gender equality and empowerment of women and

girls. In 2015, the national gender machinery was elevated to a fully-fledged State Department for Gender as part of measures to support progress, to ensure gender mainstreaming throughout all other Ministries and as part of the monitoring and evaluation of impact of both gender specific laws and policies as well as in implementation of strategies for gender equality and women's empowerment in other government agencies. The work of the State Department for Gender has also been reinforced with other human rights agencies in the Country that include: The National Gender and Equality Commission, Kenya National Commission on Human Rights, Commission for the Administration of Justice (Ombudsman) as well as the National Cohesion and Integration Commission. The gender agenda has further been enhanced through the establishment of a structured and robust Gender Sector Working Group that brings together dynamic and strategic partners from various Government Ministries Departments and Agencies, Council of Governors Civil Society, Women's Human Rights entities, Private Sector, Academia, Development partners including UN agencies among others to collectively advance Kenya's priority interventions on gender equality and empowerment of women and girls.

**An Intergovernmental Consultative Framework on Gender** between National and County Government through the Council of Governors was also adopted in January, 2019. The objectives of the framework are to: facilitate realization of objects and principles of devolution; provide a forum for coordinating governments' policies, legislation and functions on GEWE; provide a forum for joint planning and sector performance monitoring; provide a forum for sharing and disclosing of necessary data and information on GEWE; provide for a forum to discuss the gender concurrent functions and competencies relating to GEWE

### Challenges and setbacks

**Education:** Kenya has made significant strides in education, achieving gender parity in primary education enrolment and near gender parity at primary school level. This has continued to progress against the backdrop of the 2003 government policy on access to free primary education. This is yet to yield results in relation to achievement of universal access to primary education and while retention in primary school level has led to transition to secondary school, enrolment in secondary school is low for both girls, at 48 percent and boys, at 51 percent. Statistics show that 31.9 percent of young women 3-5 years over graduation have completed upper secondary school; a testament to the fact that over half of secondary aged girls are not enrolled in secondary school. In regions where low secondary completion has been experienced factors such as negative cultural practices and attitudes associated with education of girls' and women have been a hindrance to enrolment, retention and transition of girls into secondary school.

**Women's political empowerment:** The policy and legislative framework in the country is positive in that the Constitution of Kenya 2010 explicitly stipulates "not more than two thirds of the members of elective public bodies shall be of the same gender" and prioritizes women's representation in the National Assembly and County Assemblies. Articles 27(3), (4), (6) and (8) as read together with Article 81(b), 96, 97, 98, 177(1)(b), 116 and Article 125 provide inter alia that not more than two thirds of the membership of any elective or appointive bodies shall be of the same gender.

On other legislative fronts, Kenya has enacted laws which together with the recent reform of electoral laws through the Election Laws (Amendment) Act (2016) seek to enhance women's participation in electoral processes. The Election Offences Act (2016) seeks to further women's participation in the electoral process; the Political Parties Act (2016) also asserts that for a party to attain full registration, the party membership and composition of its governing body must reflect gender balance. Not more than two thirds of its governing body must be of the same gender. The Act establishes a Political Party Fund, a proportion of which must be used to enhance fairer gender

participation and representation. Amendments to the Act through the Political Parties Act (Amendment) (No.2), 2016 seek to promote inclusive participation. For full registration, a party must include disaggregated data of its members; party constitutions shall ensure that not more than two thirds of the membership of all party organs is of the same gender. The Political Parties Act (2016) is further amended by the Election Laws (Amendment) Act, 2016 which provides for distribution of 15 percent of the Political Parties Fund proportionately to political parties qualifying based on the number of candidates of the party from special interest groups, including women. The Enactment of the Election Offences Act 2016 which contains provisions relating to free and fair elections and civic education by Independent Elections and boundaries commission seeks to ensure the same.

Various Strategies have also been employed to enhance women's representation in leadership. They include development of a National Strategy to support women for elective politics, development of a training curriculum on women's leadership that has been institutionalized in the Government's training institutions, Launch of a democracy fund for women, media engagement on women's leadership as well as mentorship programmes at the higher learning institutions.

Among the challenges faced are number of gendered norms that have spurred discrimination against women in political and public life leading to women's underrepresentation in politics, as an example. The rules of politics are set and dominated by men; that combined with the lack of confidence to run for political office and a number of various factors acting as hindrances for women Kenya's political processes and life is organized and accepted based on the male norms and values that dictate it. Factors such as aggression, women's unpaid care roles and the long hours of campaigning, manipulation of political party nominations to short change women, an electoral system and environment that is not conducive to women's participation, financial limitations for women, and the inability to utilize women's voting power and numerical strength, all have conspired to make women in leadership an exception and not the norm. Gender norms and manipulation of the electoral system on the basis of such gender biases are also a factor in explaining why women's voting power and numerical strength is often manipulated to meet patriarchal ends.

**Land ownership:** Kenya continues to experience limitations to women's land ownership and access to formal financing mechanisms. According to the KDHS, 2014 only eight percent of women own a house alone and 7 percent own land alone. Forty-two percent own a house and 39 percent of women own land (alone, jointly, or both) There are other structural factors such as those embedded in the government's capacity for land administration and management that only make relevant the patriarchal notions that impede women's property and inheritance rights.

While progress has been noted in both legislative and policy frameworks to enable women's equal rights as relates to land and property ownership, contradictions have been noted that point to structural discrimination and inequalities. The National Land Policy requires appropriate legal measures to ensure that women and men are entitled to equal rights to land and land-based resources during marriage, dissolution of marriage, and after death, and develop mechanisms to curb disposing off family land without the involvement of spouses.

The Matrimonial Property Act, 2013 is discriminatory in relation to women's land and property ownership. It defines matrimonial property as that which is jointly owned by the spouse and disallows women the right to marital property upon the death or divorce of their spouse requiring that they prove their contribution to the acquisition during marriage. This kind of contradiction set in law does not take into consideration women's contribution through unpaid care work and other unpaid labour that ensures social reproduction and wellbeing of both the household and the society-

at-large. Beyond women’s contribution to their house-holds wellbeing, women’s unpaid labour is known to contribute to the country’s gross domestic product (GDP) a phenomenon that is currently critical to recognition of women’s economic contribution globally.

Similarly, the Law of Succession Act, 2015 discriminates against women in respect to inheritance rights with Section 32 and 33 of the Act expressly excluding all agricultural land, cattle and crops from legislated inheritance placing them under the purview of customary law which most likely discriminates against women and girls.

**2. Which of the following have been the top five priorities for accelerating progress for women and girls in your country over the past five years through laws, policies and/or programmes? (please check relevant categories)**

- ✓  Equality and non-discrimination under the law and access to justice
  - Quality education, training and life-long learning for women and girls
  - Poverty eradication, agricultural productivity and food security
- ✓  Eliminating violence against women and girls
- ✓  Access to health care, including sexual and reproductive health and reproductive rights
  - Political participation and representation
  - Right to work and rights at work (e.g. gender pay gap, occupational segregation, career progression)
  
- ✓  Women’s entrepreneurship and women’s enterprises
  - Unpaid care and domestic work / work-family conciliation (e.g. paid maternity or parental leave, care services)
- ✓  Gender-responsive social protection (e.g. universal health coverage, cash transfers, pensions)
  - Basic services and infrastructure (water, sanitation, energy, transport etc.)
  - Strengthening women’s participation in ensuring environmental sustainability
  - Gender-responsive budgeting
  - Digital and financial inclusion for women
  - Gender-responsive disaster risk reduction and resilience building
- ✓  
  -

*Please provide brief reflections on how your country has addressed these priorities (3 – 5 pages).*

**Kenya’s priorities have been addressed as follows:**

The Government of Kenya dedicated its focus to the following top five priorities for accelerating the progress for women and girls in the country:

**Equality and non-discrimination under the law and access to justice**

There exist a number of policies, legislative reforms, plans and programs in the legal, social, economic realms, access to and control of resources, opportunities and benefits aimed at address equality, freedom from discrimination and access to justice.

Over time, some of discriminatory domestic laws have been repealed and new laws and policies, systems and structures introduced intended to safeguard the gains for women, protect them from discrimination as provided for in the Kenya Constitution (2010). Various policy and legal frameworks have also been developed/enacted to promote, enforce and monitor equality and non-discrimination.

These include The Marriage Act (2014); The Matrimonial Properties Act (2013); The Protection Against Domestic Violence Act (2015); Kenya Citizenship and Immigration Act (2011); The Prohibition of Female Genital Mutilation Act (2011); The Land Act (2016); The Land Registration Act (2012); Climate Change Act (2016); The Community Land Act

(2016); The Political Parties Act (2011); Sexual Offences (Medical Treatment) Regulations (2012); and the Sexual Offences Rules of Court (2014). National Human Rights Policy and Action Plan; Policy; National Land Policy; Kenya National Action Plan for the implementation of the UN Security Council Resolution 1325 (2000) on Women, Peace and Security (2016-2018);

Further, through Article 48 of the Constitution, women have been provided with access to justice in Kenya. Progress has been made with the passing of the National Legal Aid Act of 2016 which established National Legal Aid Service, the successor of the National Legal Aid Programme. The National Legal Aid Service functions include administering national legal aid scheme that can be accessed and is affordable for all Kenyans who require this. Funding for Legal Aid Programme has been supplemented by development partners such as European Union (EU) and UN Women. A nine-member board was put in place to operationalize the Act. The NALEAP received **\$510,000** for all the pilot projects which increased to **\$1,353,665.60** in the 2017/2018 financial year in order to transition from the programme to the service.

Kenya has a strong legislative framework on the rights of the child which domesticates and incorporates the provisions of the United Nations Convention of the Rights of Children (UN CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC). Kenya has therefore fully integrated the Children's Convention into the domestic legislation and policy that is currently being implemented.

The Constitution is specific to children, through Chapter four in the Bill of Rights that states “the State shall enact and implement legislation to fulfill its international obligations in respect of human rights and fundamental freedoms”.

The Judiciary Transformation Framework, 2012-2016: The framework operates under four pillars; People-focused Delivery of Justice, Transformative Leadership, Organizational Culture and Professional Staff, Adequate Financial Resources and Physical Infrastructure and Technology as an Enabler, all of which are aimed at enriching the jurisprudence process including cases touching on rights violation. More importantly, the Judiciary Training Institute was repurposed to drive continuing learning, research and the development of a robust, indigenous and patriotic jurisprudence. It is the latter that aims at eliminating restrictive interpretation of the provisions of the Constitution that has in the past suffered a patriarchal view before courts of law. It is largely expected that training of magistrates and judges on international treaty cross-references and application will widen enjoyment of rights especially those already domesticated.

#### **Eliminating violence against women and girls**

Gender Based Violence in its various manifestations, impacts differently on individuals, their families and the community. Economically, it results in unnecessary costs and imposes an economic burden on the government in terms of increased spending on health care, social services, civil and criminal justice systems, absenteeism from work, and lost productivity and output.

According to statistics from the Gender Violence Recovery Centre (GVRC) 45 per cent of women between ages 15 – 49 in Kenya have experienced either physical or sexual violence with women and girls accounting for 90 per cent of the gender-based violence (GBV) cases reported. One in five Kenyan women (21 per cent) has experienced sexual violence. From KDHS 2014, about 43 per cent of married women have experienced sexual violence. The KDHS analysis by marital status reveals that women who are divorced, separated or widowed are more likely to be exposed to violence (at 60 per cent) than their married (at 42 per cent) and never-married (at 25 per cent) counterparts. Non-governmental organizations including USAID and UNICEF reveal that about 83 per cent of women and girls in Kenya report one or more episodes of physical abuse in childhood and that 75 per cent of Kenyan women report having suffered from gender-based domestic violence in the homestead. Their findings reveal that majority of Kenyan women believe it is acceptable for men to beat their spouses. Further, about 46 per cent of the Kenyan population report at least one incident of sexual abuse as a child and that 36 per cent of rural women report having experienced Female Genital Mutilation (FGM).

The Government is committed to addressing prevention and response to GBV and has developed robust policies and laws that seek to prevent and respond to gender-based violence (GBV) which include: the National Policy on Prevention and Response to Gender Based Violence. Launched by His Excellency the President of the Republic of Kenya in 2014 as a demonstration of his commitment to lead from the front to end all forms of violence, leading to enactment of The Protection Against Domestic Violence Act, 2015.

To monitor and mitigate effects of GBV, A Gender based violence free hotline (Dial 1195) was relaunched in March 2017. This initiative is operated by Healthcare Assistance Kenya (HAK), with support from various telecom agents such as Safaricom and Airtel. The goal of HAK's SGBV hotline and the call up centre is to involve community members and survivors in the fight against sexual violence, FGM and other forms of violence that is meted on women and children by ensuring early reporting of all the cases within the recommended 72-hour window period. The endeavour is also to ensure that all other forms of violence are brought to an end by bringing in a platform that will enable community members to speak freely about the issues affecting them to enable the Government to find solutions for survivors faced with Sexual and Gender Based Violence.

Additionally, County Governments have also prioritized cases of medical attention to SGBV in all County facilities with dedicated staff and units where SGBV is treated as an emergency response. Capacity building on standard operating procedures for Gender-based Violence Recovery Centre committees in the counties has been undertaken to strengthen the capacity of both county governments and health systems to respond to SGBV cases. Further, awareness of women's and human rights through the commemoration of UN days, on Zero Tolerance for FGM, and 16 Days of Activism Against GBV has been ongoing. The foregoing culminated in the establishment of a special unit at the Office of the Director of Public Prosecutions to handle FGM and other gender-based violence-related cases.

Other initiatives include the creation of a national information system to capture and feed SGBV data in the following sectors: health, National Police Service, Office of Director of Public Prosecution (ODPP) and the Judiciary.

Retrogressive and harmful cultural practices such as child marriages, Female Genital Mutilation (FGM), Gender Based Violence, wife inheritance and other negative cultural stereotypes continue to affect women and girls disproportionately. There also exists a capacity constraint in terms of shortage of technical staff. In order to resolve this challenge, the government has deployed gender officers across the country and undertaken gender based training. This is expected to strengthen the role of the gender machinery in coordination implementation of gender Interventions in the Country.

The involvement of elders in the fight against FGM has brought on board more men in the fight against FGM who have become champions of protection of the rights of girls and their education. Moreover, the provision of Alternative Livelihoods for reformed circumcisers has enabled certain communities to abandon the FGM practice.

Measures undertaken to end child marriage have been reinforced by the Constitution which according to Article 45 (2) (Kenya Law, 2010) the right to marry can only be granted to adults. The constitution describes an adult as someone of 18 years and over. This article was invoked in the case of Constitutional Petition No 40 of 2011, where the petitioners were charged with exposing a young person to child marriage.<sup>10</sup> The Marriage Act 2014 is another measure against child marriage which mandates that the age of consent for marriage is 18 years<sup>11</sup>.

One of the best practices in Kenya is on Enforcement of legislation: The Protection Against Domestic Violence Act, 2015 is a comprehensive legislation that offers protection and relief for women victims of gender-based violence. The Act has expanded the *loci standi* for GBV cases and outlines the process for obtaining protection orders.

Since the entry into force of the Act, a number of prosecutions and convictions relating to gender-based violence against women have been undertaken. For example, between 2015 and 2016 there were 4,299 newly prosecuted cases of sexual and gender-based violence and 871 convictions.

To eradicate GBV, Kenya prioritized a countrywide campaign against GBV targeting all counties to increase awareness of the scope of the problem and its impact, improve services for survivors of violence and to strengthen prevention efforts in counties. The Government in Collaboration with United Nations (Kenya office) has come up with a four year programme on GBV which will enhance prevention of GBV, strengthen protection of GBV survivors, ensure expeditious prosecution of GBV cases; establish and implement strong sustainable programmes that are well resourced; and implemented through partnership with non-state actors, development partners, county and national government through strong coordination mechanisms at national and county level. However, lack of awareness on GBV in communities, persisting cultural practices and social norms on GBV still pose significant challenges in the prevention of GBV. Structures to implement the programme have been established which include a national steering committee and Project Management Unit.

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<sup>10</sup> [Kenyalaw.org/caselaw/115306](http://kenyalaw.org/caselaw/115306)

<sup>11</sup> Laws of Kenya (2014) Marriage Act 2014. Retrieved from:  
<http://kenyalaw.org/lex//actview.xhtml?actid=No.%204%20of%202014>

## Access to health care, including sexual and reproductive health and reproductive rights

Kenya's health sector is governed by the Constitution of Kenya 2010, the supreme law, and Kenya Vision 2030, the country's development Blueprint. The constitution in Article 43(1) (a) obligates the state to ensure that 'every person has a right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; while Article 43 (2) states that "a person shall not be denied emergency medical treatment". Amongst the "person" referred to in the cited Article, are women and girls who normally bear the greatest burden of disease. The article advocates for health policies grounded on diversity-sensitive, human rights-based and gender-oriented approaches targeting specific health needs of individuals, especially women and girls. In the pursuit of meeting the healthcare provision obligations. The government through the Ministry of Health, has put in place several legislative, policy and programmatic frameworks to support this constitutional requirement.

**The Kenya Health Sector Policy (KHSP) 2012 – 2030** focuses on the two key obligations of health: contribution to economic development as envisioned in the Vision 2030; and realization of fundamental human rights as enshrined in the Constitution of Kenya 2010. It focuses on ensuring equity, people centeredness and participatory approach, efficiency, multi-sectoral approach and social accountability in delivery of health care services.

The KHSP focuses on six objectives, and seven orientations to attain the overall government's goals in health. It takes into account the functional responsibilities between the two levels of government (county and national) with respective accountability, reporting and management lines. It proposes a comprehensive and innovative approach to harness and synergize health services delivery at all levels by engaging all actors, signaling a radical departure from past approaches in addressing health challenges.

Kenya remains committed to addressing HIV and AIDS and to ensuring that the gendered and socio-cultural factors that make women and adolescent girls more vulnerable to HIV infection are curbed. The Kenya AIDS strategic framework (KASF) 2014-2019 succeeds the Kenya National AIDS Strategic Plan (KNASP) III that came to an end in June 2014. It builds on past KNASP successes, partnerships, leadership and legislation. One of the key components of preventive measures has been in ensuring access to information and treatment to vulnerable and key populations including women experiencing multiple forms of discrimination. The KNASP set the pace for strategic policy, planning and implementation guidance and leadership for a coordinated multi-sectoral response to HIV and AIDS in Kenya.

KASF is aligned with international, regional and national obligations, commitments and targets related to HIV and AIDS. It is driven by Kenya's long-term vision for HIV control by 2030 in line with Kenya's social and economic development Vision 2030.

**The Health Act 2017** affirms, in section 6 (1) (b), the right to access appropriate reproductive healthcare services for all Kenyans, including women and girls.

**The National Reproductive Health Policy (NRHP) 2009 – 2015** was developed to enhance the reproductive health status of all Kenyans, including women and girls, by increasing equitable access to reproductive health services and by improving quality, efficiency and effectiveness of services provided at all levels.

**The National Reproductive Health Strategy (NRHS) 2009 – 2015**, on its part, had an overall goal of facilitating the operationalization of the National Reproductive Health Policy (NRHP) 2009 – 2015 through a national multi-sectoral approach.

**The Free Maternity Services (FMS):** It entails the abolition of user fees at primary level health facilities. The health insurance subsidy for the poor, elderly, and the severely disabled; the improved NHIF coverage; the Linda Mama programme; the First Lady initiated Beyond Zero campaign; and the on-going piloting of Universal Health Coverage (UHC) are all frameworks introduced by the government to ensure that responsive, accessible, equitable, affordable and quality healthcare services are availed to all Kenyans, with particular attention to the needs of women and girls. UHC is being piloted in 4 Counties; Kisumu, Nyeri, Machakos and Isiolo, each of which was selected for their diverse health challenges ranging from high rates of communicable diseases to high incidences of road accidents, high levels of maternal mortality and poverty.

**Strengthening the health system to prevent and respond to SGBV:** As part of Kenya's coordinated and seamless multisectoral process in addressing sexual and gender-based violence, the National Health Sector Standard Operating Procedures on Management of Sexual Violence in Kenya 2014 was developed. The SOPs aimed at operationalizing the National Guidelines for Management of Sexual Violence in Kenya developed in 2009. The SOPs are drawn from the multi-sectoral SOPs found in the Guidelines for the Prevention of and Response to Sexual Violence in Kenya.

The role of the health sector in the prevention of and response to sexual violence is:

- Development of national policies, guidelines, standards, protocols and training curricula for sexual violence service delivery
- Capacity building of health service personnel through training and mentorship on clinical management of sexual violence
- Providing supportive supervision through the regional and county health providers to ensure quality service delivery on sexual violence
- Providing requisite services to sexual violence survivors.

The detailed health sector SOPs include:

- a) Entry into the health facility (registration and triage)
- b) Engagement at the health facility (availing medical services, availing forensic services, and availing psycho-social support services)
- c) Exit from the health facility (facilitating entry/re-entry into the general multi-sectoral referral pathways, and special considerations in humanitarian settings)

### **Gender-responsive social protection (e.g. universal health coverage, cash transfers, pensions)**

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 recognizes that structural inequalities are the drivers of risks and vulnerabilities that drive poverty and inequalities. Transformative social protection measures comprise four categories of instruments:

- a) 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.
- b) preventive measures to prevent deprivation. This approach focuses on strengthening social security and health insurance schemes and pensions.
- c) 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.
- d) 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, anticorruption legislation, policies on fee-free education, and regulations on safe classroom environments to avoid the exclusion of vulnerable children and girls.

In Kenya, some examples of these measures include: expanding women's presence in the labor 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 (Ending Hunger) Kenya program; favorable Huduma Bora services (One Stop Services Centre), reservation of 30 percent 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 organizations and community based organizations to advance women's rights and empowerment.

### **Women's entrepreneurship and women's enterprises**

#### **The Affirmative Funds:**

The Kenya Government has implemented the Women Enterprise Fund and disbursed significant funds to women through a revolving fund. These funds have enabled women to setup businesses that have become profitable and improved the quality of lives in the households. The compliance and repayment rate are high with very few defaults reported. The funds have been made available throughout all the counties in the country. Financial Literacy has accompanied the disbursements and improved the overall empowerment of women throughout the country.

#### **Public Procurement Act:**

The Kenya Government has implemented a public policy that allocates 30 percent of government business for women, youth and people living with disabilities. This policy empowers women economically as it positions them to access tenders from government that results in significant economic empowerment for themselves and their families.

### **Africa Growth Opportunity Act (AGOA):**

Kenya signed into the AGOA Act that enables Kenya to Export into America. Women enterprises have had the opportunity to export vegetables artefacts and other merchandise into the American market. Women have had significant opportunities through the USAID hub that enables them to receive support, training and facilitation for expos into those markets. The opportunities for wealth creation have been significant for women enterprises.

### **Common Free Trade Agreement (CFTA):**

In 2018, Kenya signed and ratified the common free trade agreement that opens up the market opportunities within the continent. Women who are significant contributors to the economy through businesses in Kenya now have a greater opportunity to trade within the continent and increase their market share and revenues which in turn improve the overall quality of life for their households.

Some of the measures that accelerate women's economic empowerment innovators and entrepreneurs in this regard are; through the Ministry of Trade and Industrialization, the Kenya government has created an efficient ecosystem for innovators and entrepreneurs to channel their ideas into products into markets. Various government agencies have been tasked with the responsibility to support the enterprises and innovations to become viable successful businesses.

Most women who venture into value addition cannot afford the costs of product development and standardization of their products. Various Government agencies have come together under the Ministry of Trade to ensure that support is given to these enterprises to ensure their sustainability.

### **Enactment of the National Lands Act:**

Through the enactment of the National Lands Act, women are now able to inherit marital and ancestral land. The ability to own land now gives women access to finance as they have collateral with which to access loans and credit facilities. The impact includes reduced economic vulnerability has enabled women to contribute significantly to their families and the economy.

### **County Government Access to Market Guarantee for farmers:**

Some County governments for instance, in the County of Kirinyaga within the central of region of Kenya, have put in place end to end value chain support in their agricultural and health value chain by signing up ready market (locally and internationally) for their farm produce. Some of the measures include: the establishment of manufacturing plant for production of health gear and hospital merchandise, the employment within the value chain is 50 /50 gender participation and sometimes 2/3 of the workers are women. Women's economic empowerment is significant within a number of counties that have implemented these types of models.

### **Changing negative social norms and gender stereotypes**

**Actions to prevent cultural patterns fuelling sexual and gender-based violence:** The Government has put in place various policy measures to guide interventions around violence against women in Kenya including FGM and other harmful practices including child marriage. These are prioritized in Kenya Vision 2030 and the three 5 year Medium Term Plans of the Vision, The Vision further expresses the Government's commitment to undertake deliberate efforts to "prohibit retrogressive cultural practices and social ills as well as improve access to essential services" and this commitment is advanced in the current, third Medium Term Plan 2018-2022.

**The context of FGM practice in Kenya:** The Constitution out-laws harmful traditional practices. The government has taken concrete measures to eliminate harmful traditional practices such as Female Genital Mutilation (FGM) and early marriage which affect the girl child negatively. There is also a notable reduction in the prevalence of FGM which affects the girl child’s educational and other life attainments after enactment of the Prohibition Against FGM Act, 2011.

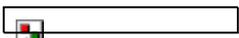
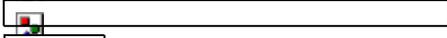
The Children Act 2001 established statutory structures, including the National Council for Children’s Services (NCCS), whose mandate is to exercise general supervision and control over the planning, financing and coordination of child rights and welfare activities and to advise the

Government on all aspects thereof. In 2011, the Council developed the Children’s Protection System Framework and prepared the draft of the National Children Policy (NCP).

The Kenya Demographic and Health Survey (KDHS) 2009-2014 indicates that 21 per cent of women and girls surveyed are circumcised, a decline from 27 percent in 2008.

The Prohibition of Female Genital Mutilation Act (2011) provides that the Government should take positive measures in order to ensure the provisions of the Act are actualized. The Government established the Anti-FGM Board in 2013 to coordinate the implementation of the Prohibition of the Female Genital Act, 2011. To this effect, the board has designed programmes such as the inclusion of anti-FGM key messages in school curriculum and scaled awareness creation interventions, training and engagement of community leaders. Inter-governmental relations have been enhanced in the east African region aimed at curbing FGM across the borders of the east African countries, an initiative of the Government of Kenya.

**3. Over the past five years, have you taken specific measures to prevent discrimination and promote the rights of women and girls who experience multiple and intersecting forms of discrimination? (please check relevant categories)**

- ✓  Women living in remote and rural areas
- ✓  Indigenous women
- Racial, ethnic or religious minority women
- ✓  Women with diverse sexual orientations and gender identities
- ✓  
- ✓  
- ✓  
- 
- ✓  Women living with disabilities
- ✓  Women living with HIV/AIDS
- ✓  Younger women
- ✓  Older women

*Please provide details of up to three concrete examples, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Where relevant and possible, please provide data to support your responses (2pages max.).*

### **Specific measures undertaken**

Inequalities based on gender intersect with, and are deepened by other inequalities based on disability, ethnicity, age, geographic location, religion, cultural practices and beliefs. This raises the need to holistically address human rights while addressing intersectional discrimination and inequality. The Constitution lists grounds for non-discrimination on the basis of “race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.”<sup>12</sup> And extends to individuals. The National Land Policy recognizes the possibility of intersectional discrimination for women in pastoral communities and proposes that the rights of women in pastoral areas should be recognized and protected. The Land Act seeks development of a gender and intersectionality strategy for implementing climate change.

**Women living in remote and rural areas:** Women in rural areas make a bigger proportion of labor provision at the farm level. They often do not own land, but they work on the land, and their labor has been largely unpaid. Some 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. This is important in reduction of the unpaid time used on subsistence farming thereby creating some time for leisure or engagement in other income generating activities.

**Indigenous women:** In realizing indigenous women’s land rights in partnership with nonstate actors, a project was initiated on Enhancing Customary Justice Systems in the Mau Forest, where local administration partnered with USAID/Landesia. This project focused on bridging the gap between formal and informal justice systems at the local level, with a particular focus on women’s land rights. As a result of the project, there is a harmonization of traditional and statutory justice systems and the traditional chiefs require spousal consent for all land transactions. Moreover, two of the Ol Pusimoru sub-locations have elected 14 women elders out of 50. This is the first case of women being elected as elders within the Maasai and Kalenjin communities, a key achievement in ensuring indigenous women are involved in decision-making and transformation of otherwise discriminatory practices.

**Widows:** The government has put in place programmes and initiatives that embrace the experiences faced by widows especially in addressing discrimination, loss of property and lack of access to justice. Guided by the Ministry of Public Service, Youth and Gender, widows have organised themselves into groups that have benefitted through government available funds such as the Uwezo Fund, the Women Enterprise Fund and the National Government Affirmative Action Fund. Some of the rights of widows are ensured through the existing laws such as outlined in this report. However, there are various socio-cultural barriers to widows accessing justice and living lives free from discrimination and violence. These are the barriers that concerted efforts by the government and civil society groups, are geared towards addressing.

**Older women:** 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

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<sup>12</sup> Article 27 (4) Constitution of Kenya

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.

There are gendered differences to how elderly women and men experience care and other realities of discrimination related to aging. Older women are at risk of experiencing sexual and gender-based violence and may sometimes lose their property due to socio-cultural practices that accord less value to older women. Older women often take care of their grandchildren especially in situations where the children have been orphaned through HIV/AIDS. It is therefore important that social security programmes for the elderly take cognizance of the gendered experiences of both older women and men to avoid situations that create further vulnerabilities and inequalities for older women.

### **Women 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. Their concerns continue to be addressed through the Persons with Disabilities Act 2003 by ensuring their rights are safeguarded. 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. While there are targeted policies and programmes for persons with disabilities, challenges related to access to basic services, buildings, housing and transport remain a challenge. Women and girls with disabilities form a critical category of women facing multiple forms of discrimination based on their multiple identities.

In addressing intersectional discrimination, the Government will strengthen measures to support evidence generation on the extent, effects and gender implications of different inequalities, ensure compliance with constitutional and legal provisions against discrimination and develop targeted measures to deal with intersectional inequality.

#### **4. Has the increasing number of humanitarian crises—caused by conflict, extreme weather or other events—affected the implementation of the BPfA in your country?**

YES/NO

*If YES, please give concrete examples of the effects of humanitarian crises on progress for women and girls in your country and of measures taken to prevent and respond to humanitarian crises in a gender-responsive manner (1 page max.).*

Yes. Climate is a major driving factor for most of Kenya's economic activities and therefore high priority has been given to climate change and its impacts on livelihood and economic development. During the period under review, Kenya developed the National Disaster Reduction Strategy and

Policy and National Disaster Preparedness and Response Strategies in 2016. This has helped in disaster preparedness and as such no major effects on the implementation of the BPfA have been reported. This has resulted in maintaining the low number of deaths, missing persons and persons affected by disaster per 100,000 people was 1 in 2014 before increasing to 2 in 2015 and then decreasing to 1 in 2016.

Measures that have been put in place by the Government on Strategies for disaster risk reduction (DRR) include: Establishment of National Drought Management Authority (NDMA) which is created through the Enactment of the National Drought Management Authority Act, 2016 and adoption of the 10year Ending Drought Emergencies (EDE) Strategy covering the period, 2012-2022.

The Climate Change Act 2016 establishes the Climate Change Council which comprises stakeholders from National Government, sub national Governments, the private sector, civil society, communities and academia. The Act provides the legal framework for enhanced response to climate change challenges at national and county government levels. It highlights the climate change response measures and actions, the roles of each of the stakeholders in mitigating effects of climate change and how to engage the public. The Climate Change Act 2016 informed the development of the National Climate Change Action Plan 2018-2022, a five-year iterative tool which prioritises Kenya's integration of low carbon climate resilient initiatives across different socio-economic sectors. Kenya also ratified the Paris Agreement on Climate Change which took effect on 27th January 2017, commitments of which are also integrated in the NCCAP 2018-2022. These commitments build on the foundations laid during the implementation of NCCAP 2013-2017.

The Forest Conservation and Management Act, 2016 provides for the conservation and management of public, community and private forests and, areas of forest land that require special protection.

The private sector has set up, an incubation programme that supports the development and deployment of technologies that help communities to either mitigate against or adapt to climate change. So far, 138 enterprises have been incubated, 52 of which are now businesses that came in as ideas and created 1,163 jobs through these initiatives. In 2012 Kenya through one of the private universities (Strathmore University) established the world's first Climate Change Innovation Centre, in line with the commitment to support research and new ideas in addressing climate change.

Even with the policies and plans for mitigation in place, there are challenges such as the lack of reliable and adequate data on climate issues and the gendered impact assessment on individual households compounded by a low investment in climate change research.

**5. Which of the following does your country consider to be the top five priorities for accelerating progress for women and girls in your country for the coming five years through laws, policies and programmes? (please check relevant categories)**

- Equality and non-discrimination under the law and access to justice
- Quality education, training and life-long learning for women and girls
- Poverty eradication, agricultural productivity and food security
- Eliminating violence against women and girls
- Access to affordable quality health care, including sexual and reproductive health and reproductive rights
- Political participation and representation

Right to work and rights at work (e.g. gender pay gap, occupational segregation, career progression)

Women's entrepreneurship and women's enterprises

Unpaid care and domestic work / work-family conciliation (e.g. paid maternity or parental leave, care services)

✓ Gender-responsive social protection (e.g. universal health coverage, cash transfers, pensions)

✓ Basic services and infrastructure (water, sanitation, hygiene, energy, transport, communication, etc.)

Strengthening women's participation in ensuring environmental sustainability

Gender-responsive budgeting

Digital and financial inclusion for women

Gender-responsive disaster risk prevention, reduction and resilience building

Changing negative social norms and gender stereotypes Other

*Please provide brief reflections on how you plan to address these priorities (3 – 5 pages)*

### **Measures to address the priorities:**

#### **Poverty eradication, agricultural productivity and food security**

The Agricultural Sector Development Strategy 2010-2020 (ASDS) is the overarching national policy framework. The strategy provides a guide for the public and private sectors' effort in overcoming development challenges facing the sector. Food security is one of

Kenya's Big Four along with Universal Health Coverage, Manufacturing and affordable Housing; as the priorities for the country's springboard to eradication of poverty as part of Kenya's MTP III for Vision 2030.

Stimulating rural economy through legislation: The Government of Kenya aims to stimulate the rural economy through three major reforms, from which women in rural areas are dominantly involved in agriculture are expected to benefit from. The Land Act (2012), which mandates the National Land Commission to recommend policies on land, acquire land for public purposes, regulate land use in the public interest and allocate land for investment. The Agriculture, Livestock, Fisheries and Food Authority Act (2012) which establishes an authority to oversee the operation of the agricultural sector — including licensing, law enforcement and registration of farmers — and to promote and regulate the production, processing, marketing and transportation of agricultural products, advise the Government on agricultural policy, and build the capacity of county governments in relation to agriculture. The Crops Act (2012) which formulates policies for the development of scheduled crops, facilitates marketing and distribution of crops, conducts training for farmers, and establishes and enforces crop standards.

The Economic Empowerment Programme (EEP) is anchored on the Kenya Vision 2030 economic pillar of enhancing economic growth and reducing poverty. Its priority areas and expected outputs are enshrined in three critical components that underscore the programme centrality. The expected outcomes are ensuring; (i) inclusiveness of the poor and vulnerable are mainstreamed in institutional and policy framework as well as private sector participation in job-rich and pro-poor growth, (ii) the poor and vulnerable (particularly women and youth) are empowered as economic agents including ensuring that the poor and vulnerable access micro- finances and new technologies and (iii) coordination mechanisms for project implementation are operationalized, strengthened and supported by an effective platform for comprehensive public-private partnership.

The focus will also be on finalizing and operationalizing a National Policy on Women's Economic Empowerment and Agriculture Gender Policy.

### **Eliminating violence against women and girls**

Resourcing for GBV interventions: Kenya has made notable gains in the elimination of violence against women and girls and harmful practices however, a lot needs to be done to eliminate all forms of violence against women and girls. The implementation of the National Policy on Prevention and Response to Gender-Based Violence (2014) has been affected by inadequate financial resources to establish prevention and response mechanism for GBV. This also applies to the four-year GOK/UN GBV programme which will require adequate resourcing by state and non-state actors as envisioned in the project document for effective implementation.

The implementation of the Prohibition of FGM Act 2011 which outlawed the practice of FGM has also been met with resistance from certain communities where the practice is prevalent. The resistance due to culture and tradition has posed a major set-back to the realization of the provisions of the Act in the areas affected. Focus will also be on addressing cross border FGM within the East Africa region.

In addition, family honour, culture of silence as well as negative gender norms and power dynamics play a powerful role in perpetuating VAWG. VAWG is perpetuated and entrenched in patriarchal notions that make it an uphill task that requires concerted efforts at different levels including coordinated efforts bringing different state and non-state actors together.

Focus will also be on strengthening GBV data management for informed policy decisions and programming at the National and County Government levels.

### **Gender-responsive social protection (e.g. universal health coverage, cash transfers, pensions)**

Kenya's Social protection programme has a number of facilities including cash transfers to different categories of women and men, and in-kind transfers such as the school feeding program and the planned universal health coverage which is one of the most recent priorities to be put in place. The aim is to reduce vulnerability and promote individual, household and community resilience to shocks and stresses through improved household income and access to basic and social services.

In Kenya, some of examples of measures include: expanding women's presence in the labor 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 (Eliminating Hunger) Kenya program; favorable Huduma Bora services, reservation of 30 percent 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 organizations and community based organizations to advance women's rights and empowerment.

While all the interventions ongoing and those planned to happen are critical in accelerating gender equality and women's empowerment, Kenya could benefit from applying a gender lens to a much younger cohort of women – adolescent girls - in line with the lifecycle approach. Gendered social norms become more pronounced during adolescence; unpaid care labor starts at an early age for both girls and boys, with the gap in time use increasing with age they are propelled towards a gendered division of labor that often leads the girls to be more disadvantaged than the boys.

UN Women Policy brief on the impact of cash transfers (CTs) <sup>13</sup> indicates evidence on the economic and social impacts of cash transfers to adolescent girls and the potential for such programmes to reap multiple dividends across the life cycle of women and girls. This includes as relates to school and health service uptake, intrahousehold decision-making and intimate partner violence. There is growing interest on how to leverage these programmes to improve adolescent well-being across the second decade of life and beyond. This kind of approach and impact assessment for Kenya remains to be done and it is one that would catapult the transformative potential of the social protection programmes that are currently in place.

### **Basic services and infrastructure (water, sanitation, hygiene, energy, transport, communication)**

One of the main priorities for Kenya which is also defined as an enabler in Kenya's development plan for the next five years is the development of infrastructure. Investing in the provision of and access to quality, sustainable, resilient and gender responsive infrastructure, including time and labor-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. 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 labor markets, improves investment climate, and removes trade barriers, among other benefits. Public investment in the social infrastructure also has the potential to reduce the burden of unpaid domestic work. This investment also creates jobs both directly and indirectly though there are important gender differences arising from investment in the different sectors. Women's access to such jobs and to benefit from the ripple effect of the same depends on the degree of gender segregation in employment in these and other sectors in each County.

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 overstated. 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. It also forms the basis for public revenues which can be used as insurance and for basic social security to enhance the quality of life for citizens.

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<sup>13</sup> <http://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2019/un-womenpolicy-brief-12-gender-and-age-responsive-social-protection-en.pdf?la=en&vs=4617>

## SECTION TWO: PROGRESS ACROSS THE 12 CRITICAL AREAS OF CONCERN

This section covers progress across the 12 critical areas of concern of the Beijing Platform for Action. The 12 critical areas of concern have been clustered into six overarching dimensions that highlight the alignment of the BPfA with the 2030 Agenda. This approach is aimed at facilitating reflections about the implementation of both frameworks in a mutually reinforcing manner to accelerate progress for all women and girls.

This is especially important since the Kenya development Blueprint Vision 2030 is aligned to the 2030 Agenda on sustainable development and the gender equality and women's empowerment commitments reinforce the acceleration of progress for all women and girls as set in both the Beijing Platform for Action and the SDGs.

### Inclusive development, shared prosperity and decent work

#### Critical areas of concern: A. Women and poverty F. Women and the economy I. Human rights of women L. The girl child

##### 6. What actions has your country taken in the last five years to advance gender equality in relation to women's role in paid work and employment?

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)*

#### **Introduced gender-responsive active labor market policies:**

In recognizing the importance of shifting labor 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. Article 231(1)(i) underscores the values and principles of public service which apply to both national and county governments as well as parastatals. The Ministry of Labour has since reviewed the Labour Relations Act of 2007 to be in alignment with the Constitution.

The Government of Kenya, in partnership with the Private Sector and UNICEF Kenya has piloted a responsive work environment in support of lactating mothers 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 labor 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 leave period. An initiative spearheaded by Private Sector 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.

**Performance Contract Monitoring:** The Government introduced a Reporting Tool that is used by the Public Sector to report on Quarterly and Annual basis Gender Mainstreaming. The tool captures among other things: continuous gender training and sensitization of employees on gender mainstreaming; baseline and benchmark on compliance level with the two thirds gender

representation policy on appointments, employment and promotions in the Public Service as per the Constitution; baseline and benchmarks measuring progress of the number of women-led, youth-led and PWDs-led enterprises accessing 30 per cent public procurement tender opportunities; proportion of Ministerial sector plans subjected to sex disaggregated benefit incidence analysis as well as development and implementation of the Ministerial policy in line with the National Policy on Gender and Development to guide the gender mainstreaming activities as well a Work Place Policy on Gender Based Violence in accordance with the National Policy for Prevention and Response to GBV.

The **Public Service Commission Diversity Policy** provides modalities for diversity and inclusion of different special interest groups in public service. The policy aims at promoting diversity in the public service workforce by ensuring public service institutions achieve a workforce that is representative of all citizens from diverse communities and equal opportunities to men, women, members of all ethnic groups, PWDs and the youth. It addresses diversity in recruiting procedures, selection criteria, training opportunities, promotions, among other matters. The Values and Principles in Articles 10 and 232 of the Constitution in The Public Service provides various opportunities in terms of addressing diversity issues and affirmative action programmes. It contains policy guidelines on diversity management and affirmative action programmes. In line with promotion of diversity and the labor participation of youth and PWDs, the government introduced a paid internship programme for young people where they serve in different Ministries as part of gaining work experience and building the capacity of both young women and young men.

In terms of legislative development, The Public Service (Values and Principles) Act, 2015 allows public institutions, for purposes of ensuring representation of men and women, persons with disabilities and members of all ethnic communities, not to unduly rely on merit in making appointments. These measures cut across all government bodies and Ministries as demonstrated below.

The National Gender and Equality Commission (NGEC)<sup>14</sup> as an oversight body, has undertaken various initiatives that include:

**Status of Equality and Inclusion Report:** Published reports in 2015, 2016 and 2017 on the Status of Equality and Inclusion in Kenya that explore the extent to which the principles of equality and inclusion have been implemented in a) employment, b) political representation, c) social protection and d) education, at the National and County government levels, as well as in the rest of the public and private sectors. The report gives rich data and provides extensive recommendations on how to close the existing equality and inclusion gaps relating to Special Interest Groups (women, youth, persons with disabilities, older members of society, children and the marginalized and minority groups) in the four sectors of focus.

**Equality and Inclusion in Private Sector in Kenya:** In July 2015, carried out an assessment on equality and inclusion in 60 private sector institutions listed at the Nairobi Securities Exchange. The aim of the exercise was to establish the status of representation disaggregated by sex, age and persons with disabilities. The assessment was conducted in collaboration with the Capital Markets Authority (CMA). The findings revealed low level representation of women, persons with disabilities and the youth in the private sector boardrooms. Out of the assessed boards, women

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<sup>14</sup> <https://www.ngeckenya.org/Downloads/NGEC%20Annual%20Report%202016-17.pdf>

constituted only 17 per cent (86) of the members, 8 per cent women (5) members held the chair of the boards. Only 10 private sector institutions complied with the not more than two thirds gender principle.

The Commission partnered with the World Bank through the Kenya Accountable Development Program (KADP) to develop a county monitoring framework for gender equality. The framework will be applied by county governments to assess and report progress in advancing gender equality in employment, political representation, appointments, nominations and in planning. The framework has six critical indicators to be uploaded on an information management system suitable for national and county governments.

**Assessment of Equality and Inclusion in the Private Sector<sup>15</sup>:** In May 2017, jointly with the Capital Markets Authority conducted a rapid assessment on integration of the principles of equality and inclusion in the boards of 62 companies registered with the Nairobi Securities Exchange. The aim of the exercise is to establish the progress of integration of the principles of equality and inclusion in the publicly quoted companies. A total of 505 board directors were assessed. The size of the boards differed, and the number of directors varied from four to 12 members. 41 of the 62 assessed companies 18.4 per cent board members were women compared to 81.6 per cent of men. 12.9 per cent of the companies had a woman chairing their boards. Only 11.3 per cent of companies met the 33.33 per cent gender threshold in representation in their boards.

#### **7. What actions has your country taken in the last five years to recognize, reduce and/or redistribute unpaid care and domestic work and promote work-family conciliation?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

**Expanded support for frail elderly persons and others needing intense forms of care:** To ensure the support for elderly persons and others needing intense forms of care, the government has expanded social protection programs through the ‘Inua Jamii’ (uplift the family) to uplift the lives of poor and vulnerable citizens of Kenya through regular and reliable bi-monthly cash transfers. The programme targets Orphans and Vulnerable Children, Older Persons and Persons with Severe Disabilities. The responsibilities for the elderly, children and people with disabilities disproportionately fall under the responsibility of women. By putting in place measures through the “Inua Jamii” initiative, it is possible to draw links to how some of the burdens on women and girls will be reduced.

The National Gender and Equality Commission audited cash transfer programmes for orphans and vulnerable children, PWDs and the elderly to determine the level of participation of the vulnerable populations in the programmes designed for them. The objective was to endeavor to ensure equality in social protection programs, by auditing the institutions offering services to older persons in 6 regions (Kiambu, Kericho, Vihiga, Machakos, Nairobi and Kajiado counties). The findings of the audit revealed that despite funding challenges these institutions are playing a crucial role in alleviating suffering and improving the quality of life to older persons in society.

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<sup>15</sup> <https://www.ngeckenya.org/Downloads/Annual%20Report%20June%202021%202017.pdf>

**Investing in time- and labour-saving infrastructure:** Kenya has invested in time- and labour-saving infrastructure, such as public transport, electricity, water and sanitation, to reduce the burden of unpaid care and domestic work on women, even though this aspect of Kenya's development priorities is not documented as such. The government has also put in place a number of initiatives that are geared towards ensuring social protection with a focus on cash transfers and access to basic services. While research and evidence points to the impact of both social and physical infrastructure on women's unpaid care and domestic work thereby effecting policies on recognition, reduction and redistribution of unpaid care work, Kenya is yet to make this connections obvious in its development plans, reporting based on the MTP plans for Vision 2030 and the link to SDGs.

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>16</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.

Given Kenya's focus on growing its GDP it is worth to recognize that women's unpaid labour including unpaid care work and domestic work contributes significantly to the country's GDP, a fact that is yet to be researched. We draw a conclusion for Kenya based on a recent OECD Development policy paper<sup>17</sup> that points to Global South countries and unpaid care work significant share of countries' GDP. According to the 2017 report by the International Labour Organization<sup>18</sup>, 16.4 billion hours are spent in unpaid care work every day, globally. This is equivalent to 2.0 billion people working 8 hours per day with no remuneration. This estimation amounts to 9% of global GDP valued by minimum wage on an hourly basis.

## Poverty eradication, social protection and social services

### Critical areas of concern: A. Women and poverty B. Education and training of women C. Women and health I. Human rights of women L. The girl child

#### 8. Has your country introduced austerity/fiscal consolidation measures, such as cuts in public expenditure or public sector downsizing, over the past five years?

YES/NO -

**Yes, there are periods when austerity measures have been undertaken in public expenditures.**

**If YES, have assessments on their impact on women and men, respectively, been conducted?**

<sup>16</sup> Article 260 Constitution of Kenya

<sup>17</sup> <http://www.oecd.org/dev/development-gender/MEASURING-WOMENS-ECONOMIC-EMPOWERMENT-Gender-Policy-Paper-No-16.pdf>

<sup>18</sup> [https://www.ilo.org/global/publications/books/WCMS\\_633135/lang--en/index.htm](https://www.ilo.org/global/publications/books/WCMS_633135/lang--en/index.htm)

## 9. What actions has your country taken in the last five years to reduce/eradicate poverty among women and girls?

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)*

**Vision 2030 and Medium Term Plans:** The Vision is built on three pillars (economic, social and political) which are anchored on the principles of macroeconomic stability; continuity in governance reforms; enhanced equity and wealth creation opportunities for the poor; infrastructure; energy; science, technology and innovation; land reform; human resources development; security and public sector reforms. The Vision 2030's goal for equity and poverty reduction is to reduce the number of people living in absolute poverty to the tiniest proportion of the total population. The priority set within the Vision is in alignment with the SDGs and further reinforce the gender equality and women's empowerment agenda as set within the BPfA.

**Supported women's entrepreneurship and business development activities:** Vision 2030 identifies gender concerns and thus seeks to prioritize equity in power and resource distribution between the sexes.

The government has continued to implement various interventions to unlock untapped potential of women and men geared towards restoring gender parity and ensuring optimal participation in socio-economic progress. Interventions that address access to economic empowerment include Women Enterprise Fund (WEF), Uwezo (Empowerment) Fund while social protection is provided in form of cash transfers to Orphans and Vulnerable Children (OVCs); Persons with Severe Disabilities (PWDs) and the Older Persons.

**Women Enterprise Fund (WEF):** Women Enterprise is a Semi-Autonomous Government Agency (SAGA) under the Ministry of Public Service, Youth and Gender, established under the (WEF) Regulations, 2007 in the Government Financial Management Act, 2004; the Government Financial Management Act, 2012 establishes the Fund as a 'National Fund'. As a Kenya Vision 2030 flagship project under the social pillar, Women Enterprise Fund recognizes women's economic empowerment as a driver of economic growth and prosperity and seeks to make fundamental changes in four areas; Opportunities, Empowerment, Capabilities and Vulnerabilities, while facilitating enterprise development initiatives among women through promoting access to affordable credit and other business development services, which address financial exclusion of women thus increasing their economic participation. The Fund plays a critical role in promoting the realization of Sustainable Development Goals 1 and 5 on poverty eradication, and gender equality and women empowerment.

Since inception, the Fund has disbursed up to over \$150 million to women across the country and trained over 1.6 million women on entrepreneurship skill. Women are also linked to large enterprises through the market support and linkage programs. In the 2018/19 financial year, the funds are expected to increase by 3.3 per cent to \$22.385 million<sup>19</sup>.

The Fund has also aligned her mandates towards the Government's Big Four Agenda. The Fund promotes food security through financing women groups involved in diverse agricultural activities while promoting modernized agriculture. Approximately 70% of the Fund's beneficiaries are in

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<sup>21</sup> Kenya Economic Survey 2019 <https://www.knbs.or.ke/download/economic-survey-2019/>

the agricultural sector; the produce is for both commercial and subsistence purposes. WEF also facilitates value addition in agriculture and agro-processing manufacturing sector through financing start-ups and expansion of existing businesses/enterprises. This is done through certification of manufactured goods to enable women access local and international markets and supporting the 30% Government initiative on AGPO through Local Purchase Order (LPO) and bid bond financing to assist women to adequately service tenders. In a bid to facilitate formation of Savings and Credit Cooperative societies (SACCOs) for its beneficiaries, the Fund has facilitated sensitization of 27,431 women on SACCO formation and as a result, 157 women owned SACCOs have been registered countrywide. Through the SACCOs, women are able to purchase land and own property through SACCO housing schemes. Further, the loans given to groups have drastically improved their socio-economic status as is evidenced by improved housing; investments in land buying and property development. Lastly, as a result of economic empowerment women are able to access health services, education among other services

**The Uwezo Fund:** The fund aims at enabling women, youths and persons with disability access to finances to promote businesses and enterprises at the constituency level thereby enhancing economic growth towards the realization of Vision 2030 and Sustainable Development Goals (SDGs). The fund also provides mentorship opportunities which enable the beneficiaries to access 30 per cent of government procurement preference through its capacity building program<sup>20</sup>. Since inception the Fund has disbursed \$51 million to youth and women and persons with disability.

**Access to Government Procurement Opportunities (AGPO):** To make the procurement process gender transformative, the government of Kenya put in place the Public Procurement and Asset Disposal Act in 2015, a transformative practice that Kenya has implemented for the other initiatives to ensure women's economic empowerment. As of April 2019, beneficiaries have received \$322 million since its inception. By the end of the 2018/19 financial year, overall, the disadvantaged groups are expected to be awarded 26,195 tenders worth \$319 million, during the review period<sup>21</sup>.

**National Government Affirmative Action Fund (NGAAF):** this was established in the 2014/2015 Financial Year. The Fund has received a total budget allocation of \$67.12 Billion. From this allocation, a total of over \$ 5.607 Billion has been disbursed to support Affirmative Action Groups, socio-economic projects and programmes in all the 47 counties. So far, the fund has supported 8,309 Women groups and 128 Women-owned SACCOs for table banking and revolving funds under Women Economic Empowerment; 95,296 vulnerable students and 28,258 vocational trainees through provision of bursary and scholarships; 107,689 needy school girls supported with Sanitary Towels and mentorship programmes; 8,296 groups (all affirmative action groups) provided with funds to up-scale various value addition income generating initiatives and 3,973,765 community members reached through Civic Education which entails training of members of the community and potential groups for funding.

Under County/Constituency wide projects the Fund has supported various livelihood improvement projects including; purchase of plastic water tanks for women's household use, providing pipes for water distribution to households, purchase of assistive devices for persons with disabilities, equipping of special schools, and support to parents of children with disabilities and provision of basic needs for elderly persons.

**Biashara Kenya Fund (Business Fund):**The regulations establishing Biashara Kenya Fund were published in the Kenya Gazette notice of 21st June 2019. The Biashara Kenya Fund regulations

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<sup>20</sup> <http://www.uwezo.go.ke/>

<sup>21</sup> Kenya Economic Survey 2019 <https://www.knbs.or.ke/download/economic-survey-2019/>

are set to merge Affirmative Funds outlined above as part of government's effort to address duplication of roles and access to the funds. The new fund will draw its emoluments from allocations made to it by Parliament, income from investments it makes, grants and donations from different State partners.

The purpose of the fund shall be to provide loans directly to women, youth and persons with disability for various enterprises. These marginalized groups shall be given a preference while processing loans by the Fund. The interest payable on a loan advanced to the persons shall be at the rate of 6 percent per annum on a monthly reducing balance. The Government will also lend to banks at an annual interest rate of three per cent, though the Fund's advisory board which can vary this to a minimum of 1 percent. Banks will not lend more than Sh3 million to a single borrower from the funds.

### **Enabling legal frameworks on land**

Kenya has put in place and operationalized a robust legal framework to address women's land and property rights. These include the Succession Act, 2018; The Marriage Act, 2013; Matrimonial Property Act 2013, and the Community Land Act 2016. An amendment to the Law of Succession Act, 2018 now recognizes the legitimacy of both boys and girls in property inheritance and land rights.

There is a recognition and improvement of alternative dispute resolution mechanisms and Civic education disseminated by NGOs and CSOs. There have also been established cooperative societies aimed at assisting women to acquire land and property. More women are now able to own Title Deeds to their properties and inherit land, courtesy of the supportive legislative systems.

Article 60 (1)(f) provides for the principles of land policy which include the elimination of gender discrimination in law, customs and practices related to land and property in land. This article is important because it seeks to rectify historical injustices that have continually faced the women of Kenya. The previous constitution enabled discrimination of women in land and property rights by allowing for the application of customary laws which are discriminative in nature. Article 60 (1) (f) eliminates gender discrimination in relation to land and property and gives everyone, including women, the right to inheritance and unbiased access to land.

Two critical pieces of land legislation are in place. These include The National Land Commission Act 2012 and the Land registration Act 2012, which all entrench principles of gender equality in access to land and enshrine the rights of women to own land and property. This is a good boost to women access to land, which has been a preserve of men and boys, and hence ensures gender equality and financial inclusion for women.

The National Land Policy has been operational since 2009. The policy states that "Land is crucial to the economic, social and cultural development of Kenya". The objective of the policy is to promote Land Reforms, which will secure land rights, provide for sustainable development and reduction of poverty. Formulation of the policy was guided by the following principles, among others; equitable access to land; gender equity and secure land rights. Recognising the gendered discrimination women face on matters of land ownership, and need for further reform the government through the Ministry of Lands is currently developing a "Land Sector Gender Policy" as part of addressing the structural and systemic inequalities that continue to deny women's land and property rights thereby exposing them to poverty, disease, violence and homelessness.

The principles that guide these policies are reiterated in Article 60 of the Constitution and replicated in the Land Act, 2012, Land Registration Act, 2012 and Community Land Act, 2016. In effect, the Government is strictly adhering to these principles in all its policies and legislation. To that extent women's access to land and property is guaranteed. The National Land Commission

Act No 5 of 2012: Section 6(2) National Land Commission Act gives the commission powers to take any measures it considers necessary to ensure compliance with the principles of land policy set out in Article 60(1) of the constitution to ensure equitable access to land; security of land rights; elimination of gender discrimination in law, customs and practices related to land and property in land.

The NLC provides under Section 7(1) for the composition of the Commission. The commission shall comprise of a chairperson and eight members, whose appointments must be in compliance with the provisions of the constitution, which provides guidelines on gender equity. The commission also has to observe the constitutional requirement that not more than two-thirds of its members shall be of the same gender. The inclusion of women in the national land governing body should translate to better articulation and inclusion of gender sensitive policies and actions for the improvement of women's right to own and access land.

## **10. What actions has your country taken in the last five years to improve access to social protection for women and girls?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question. 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)*

### **Introduced or strengthened social protection for unemployed women (e.g. unemployment benefits, public works programmes, social assistance)**

**The Social Protection Fund:** The Fund was established in a bid to attain a meaningful and better quality of life for poor and vulnerable individuals by transferring a monthly stipend to the poor and vulnerable households with older citizens of 70 years and above. Other Social Protection interventions include Orphans and Vulnerable Children cash transfers and to residents of urban informal settlements. Devolved funds have been instituted to ensure equal distribution of national resources.

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.

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. The funds allocated for Orphans and Vulnerable Children are expected to decrease by 1.2 per cent from \$85 million in 2017/18 to \$84 million in 2018/19. The number of beneficiary households is expected to increase from 349,778 in 2017/18 to 353,000 in 2018/19. Similarly, direct cash disbursements are expected to increase by 7.8 per cent from \$74 million in 2017/18 to \$79 million in 2018/19<sup>22</sup>.

Older Persons Cash Transfer (OPCT) aims to strengthen the capacity of older people and improve their livelihoods. Cash Transfer Program for Older Persons targets persons aged 70 years and above. The number of beneficiaries under the Program is expected to increase by 5.1 per cent from

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<sup>22</sup> Kenya Economic Survey 2019 <https://www.knbs.or.ke/download/economic-survey-2019/>

792,268 in 2017/18 to 833,000 in 2018/19. Funds allocated to older persons are also expected to increase by 25.1 per cent from \$145 million in 2017/18 to \$181 million in 2018/19<sup>23</sup>. Similarly, direct cash disbursement is expected to increase by 47.5 per cent from \$112 million to \$166 million during the same period.

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 for Persons with Severe Disability targets adults and children with severe disabilities who require full time support of a care giver. Total allocation for persons with severe disability is expected to increase by 9.3 per cent from \$12 million in 2017/18 to \$13 million in 2018/19. Similarly, the number of beneficiaries is also expected to increase by 7.1 per cent from 43,884 in 2017/18 to 47,000 in 2018/19<sup>24</sup>.

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 to 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.

### **The Hunger Safety Net Program interventions:**

#### **Njaa Marufuku (Eliminate Hunger) Kenya**

Njaa Marufuku<sup>25</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 \$449,778.05 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

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<sup>23</sup> Ibid.

<sup>24</sup> Kenya Economic Survey 2019 <https://www.knbs.or.ke/download/economic-survey-2019/>

<sup>25</sup> Kiswahili for “hunger eradication.”

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.

### **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 stabilize 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 \$54 every two months from July 2016 to targeted households.

The program has been implemented in two phases. Phase one started with a pilot phase from 2008-2012. 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, 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 \$65 in 2008 to \$31 while CAN market price dropped from \$30 in 2008 to \$26 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 and 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. 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:

### **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.

### **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.

## **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>26</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 non-discrimination. 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 \$126 million as at April 2016 cost benefit analysis report; recipient of 12 local, continental and 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 \$150 million through Huduma Centres as well as a boosted renewed confidence of the Public Service among Kenyans.

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; utilizing Huduma Mashinani (grassroots services) outreaches to provide the Big Four 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 and NSSF.

## **11. What actions has your country taken in the last five years to improve health outcomes for women and girls in your country?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max)*

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<sup>26</sup> Marcus, R., Piron, L-H. and Slaymaker, T. (2004) 'Basic services and social protection', Theme Paper 4.

## **Promoted women’s access to health services through expansion of universal health coverage or public health services**

There has been marked 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.

### **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 have 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 \$2billion out of the \$9.54billion 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>27</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, 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.

Among the actions taken to ensure quality of services are:

- i. Service provision and staffing the facilities with the right skills and capacity for providers and supply of health commodities and products
- ii. Service-readiness of the facilities with equipment and diagnostics, flexible opening hours at night and weekends and strengthening of referral systems serviced by adequate transport arrangements for women clients, community workers and volunteers
- iii. Maternal and perinatal death surveillance and response are also institutionalized and committees in place at facility and data transmitted from county to national government.

In terms of client perspectives on services, elimination of delivery fees in Kenyan public health facilities addresses some of the economic barriers that deter women from optimal utilization of maternal health care services. This has also resulted to more delivering through trained health care service providers. Results of a time series analysis of facility data was performed 24 months before policy implementation (June 1, 2011, to May 31, 2013) and 24 months after policy implementation (June 1, 2013, to May 31, 2015) showed a statistically significant increase in the number of deliveries in the health facilities, from 234,601 before policy implementation to 303,705 after policy implementation, representing a 29.5% increase.

**Expanded specific health services for women and girls**, including sexual and reproductive health services, mental, maternal health and HIV services. In a bid to address maternal mortality and morbidity and one of the major causes of mortality - unsafe abortion, the Ministry responsible for health has strengthened efforts in preventing unwanted pregnancies through contraception and sexuality education. The Ministry has also promoted post-abortion care including through the issuance of "Standards and Guidelines for reducing morbidity and mortality from unsafe abortion". Despite this, unsafe abortion remains a major cause of maternal mortality and morbidity.

Adolescent health and youth friendly programs in Kenya in response to increasing demand for young peoples' sexual and reproductive health is one Kenya's key achievements. The Adolescent Youth Sexual Reproductive Health Policy 2015 brings adolescent sexual and reproductive health and rights issues into mainstream health agenda. Its implementation, among other policy and program priorities, has yielded the following:

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<sup>27</sup> Kiswahili for "protect the mother."

- a. Youth friendly services are offered in most Level 3 to 5 health facilities. Adolescents and young women are offered appropriate services including contraceptive services and information.
- b. Increased attention to teenage girls' pregnancy in specific counties. The County Governments Health Departments have liaised with other departments, NGOs and Faith Based health service providers to form and support a multiagency adolescent youth sexual reproductive health taskforce in the County to address the plight of teen pregnancy. This has also led to increased inter-sectoral coordination and networking to address girls' vulnerability to early pregnancy, HIV infection and gender-based violence. For example, when data showed alarming rates of pregnant teen girls presenting or missing out of end-of primary school national exams, the matter was taken up by the Ministry of Education, Gender and Youth Affairs so that it was not left to the Ministry of Health alone to address it.

### **Beyond Zero Initiative**

Beyond Zero is an initiative of Kenya's First Lady, Her Excellency Margaret Kenyatta, launched in January 2014. It is 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 mobilizing partners to spearhead amongst other things: greater community and household sensitization on adoption of preventive health practices and behaviors; to support existing health and community systems as well as catalyzing 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.

### **Menstrual Health Management Programme**

The County First Ladies Association launched a three-year Menstrual Health Management Program in May 2018. The program is in partnership with Kenya Red Cross and African Cotton Industries focused in all the 47 counties with the aim of empowering 1 million girls and 1 million boys. It 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 information 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.

Challenges in the realisation of health outcomes for women and girls:

Provision of timely and affordable access to the crucial maternal and child health services is a challenge in many parts of rural Kenya and especially in the Northern Frontier. Challenges in maternal health provision sector include:

- i. Poor infrastructural development particularly in the rural areas, a factor that is likely to change with the concerted efforts to improve physical and social infrastructure as per Kenya's current development priorities.
- ii. Shortages of paid care workers including midwives, nurses and doctors, which puts a strain on the few health care workers.
- iii. Poor access to affordable and clean energy and adequate water in health facilities in these areas has also been found to be a major contributor to high maternal and child morbidity and mortality in the region. Lack of electricity makes it impossible to run cold chains that can store life-saving vaccines.
- iv. Inadequate clean water which impacts sanitation leading to thriving and spreading of infectious diseases

## **12. What actions has your country taken in the last five years to improve education outcomes and skills for women and girls?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)*

### **Action taken:**

Several gains have been made in Kenya to ensure women's education. Since 2003, the Government of Kenya has prioritized its interventions around education and most notably with the introduction of free 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. Annex 2 provides data on school enrolment from ECDE up to the tertiary and University 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 county 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 Master Card 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.

## **Free sanitary towels to keep girls in schools:**

The Basic Education Amendment Act signed into Law in 2017 compels the government to provide “free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education Institutions” as well as providing “a safe and environmental sound mechanism for disposal”. In Kenya, one of the biggest obstacles for girls attending schools is a lack of sanitary towels, often too expensive for families to afford. Kenya’s Ministry of education estimates that girls who stay home while they are menstruating lose six weeks of schooling a year<sup>28</sup>. Since 2011, Kenya has allocated funds to giving out free sanitary napkin with an initial funding of \$4m. In the year 2018, 16.8 million sanitary towels were distributed to 3.7 million girls countrywide.

**Education Gender Policy (2007)** is aimed at prevention and response to school related gender-based violence (SRGBV). It recommends mainstreaming of policies that address GBV at all education levels; establishing modalities for dealing with SGBV including harassment; developing of a framework for co-ordination of stakeholders involved in efforts of providing a safe learning environment; and developing and implementing clear anti-sexual harassment and anti-gender based violence policies at all levels in the Ministry of Education and all educational institutions. In line with this policy, the Teachers’ Service Commission has been working with teachers as champions (Beacon teachers) on prevention of SRGBV, in various counties including Mombasa, Nairobi, Kisumu, Kwale, Kilifi, Kajiado, Machakos, Meru, Nakuru, and Baringo.

Kenya has committed to **strengthen measures to prevent adolescent pregnancies** and to enable adolescent girls to continue their education in the case of pregnancy and/or motherhood. A study was undertaken on Drivers of Child Pregnancy in Kenya leading to various sectors coming together to deliberate on how to address the situation. The report establishes the magnitude of child pregnancy in Kenya and makes appropriate recommendations for managing the situation at both the National and County Government levels. It also documents the gravity and pervasive trend of

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<sup>28</sup> [www.thebusinessdailyafrica.com](http://www.thebusinessdailyafrica.com)

child pregnancies situation in the country and the harrowing ordeal experienced by survivors. The recommendations are aimed at improving the education outcomes for girls.

**The government has enforced the re-entry policy** to address dropout cases of young mothers who conceived while in school; sanitary towels programme which enhance girls' participation in learning and implementation of a bursary Scheme to assist selected secondary school students meet other education expenses which are not catered for by Free Day Secondary Education and provision of grants to ASALs. The total number of public secondary school teachers increased from 65,494 in 2013 to 85,438 in 2015.

The implementation of the **Digital Literacy Programme** (ICT Integration in Primary Education) whose main aim is the integration of ICT into teaching and learning for pupils in primary schools has had a strong take-off. The components of this project include; improvement of ICT infrastructure; development of digital content; capacity building of teachers and implementers; and procurement of ICT devices.

Private sector has also made contribution towards this goal with some examples including Internet for Schools programme which provides free 3G Internet for Schools to both primary and secondary across Kenya. Through the project, 322 schools have been connected, impacting the lives of over 200,000 students in 33 counties out of the 47 counties in Kenya. More than 100 schools have been provided with tablet devices that will capture data about students and the facilities. From the information acquired, leaders will have a better understanding of current progress and challenges as well as be able to offer recommendations for improvement.

The inclusion of Early Childhood Development Education (ECDE) into the primary school education programme has led to the increase in number of trained ECDE teachers by 9.8 per cent for the period 2013 to 2015 in tandem with the sharp increase in the number of children attending early learning centres. Other programmes include; continued implementation of the Free Primary Education (FPE) programme which has greatly contributed to an increase in primary school education enrolment over the years.

In tandem with the sharp increase in the number of children attending early learning centers, the proportion of teachers for pre-primary who had received at least the minimum organized teacher training increased from 84.1 percent in 2014 to 86.7 in 2015 and to 88.2 in 2016. The enrolment at Technical and Vocational Education Training (TVET) increased from 147,821 (75,105 – Male and 49,454 - Female) in 2014 and to 153,314 (79,846 – Male and 52,927- Female) in 2015 before increasing to 202,556 (91,209 – Male and 74,432 - Female) in 2016. Adult education enrolment was 330,340 (113,552 – Male and 216,788 - Female) in 2014 before decreasing to 306,228 (102,076 – Male and 204,152- Female) in 2015 and to 271,769 (85,575 – Male and 186,194 - Female) in 2016.

Towards **enhancing inclusivity, Special Needs Education** is being provided at special schools, integrated schools and special units attached to regular schools. Currently enrolment stands at 102,749. Since January 2016, 184 special boarding schools (167 primary schools, 8 secondary schools and 6 technical /vocational institutions) received capitation grants. The expansion of TVET institutions has resulted to an increase in enrolment by 4.7 in the period under review.

The government has been working with development partners to increase enrolment and retention of pupils in schools in Arid and Semi-Arid Lands (ASALs). This follows concerns that many children of school going age from the pastoralist communities are still out of school despite the introduction of free primary and subsidized secondary education. The government provides \$40 per year to each pupil from these nomadic families to take care of the boarding facilities besides

the \$10.25 for Free Primary Education (FPE). The government has been working with various development partners to support meals and boarding facilities and sanitary towels to ensure the children remain in school.

**Consideration by County Education Boards (CEB) for gender inclusivity-** women, PLWDs, Youth, Minority Groups in the counties is included in the CEB. This has been replicated in all public primary and secondary schools Boards of Management (BOMs) as per the guidelines in the Basic Education Act 2013.

**100% Transition Funds** – 2017/2018 \$60 million were disbursed to public secondary schools to ensure 100% transition rate from primary to form one in secondary school. This was allocated to improve and expand infrastructure. This ensured the transition of about 1.2 million Standard Eight pupils to secondary school in 2018/2019. The money will also be used to build 2,000 classrooms in 2,576 secondary schools, 1,000 laboratories and 1,000 sanitation facilities.

Despite all the strides Kenya has made, there are a few challenges still affect implementation of education for all in Kenya. These include:

- i. High cost of sustaining the financing of Free Primary Education (FPE) and free tuition education for secondary education;
- ii. Overcrowding in schools in general and in classrooms, especially in areas with high population densities, especially in the urban slums;
- iii. Perennial droughts in most parts of the country coupled with the resultant hunger especially. in the ASAL regions exacerbates the already high rates of school dropouts of children

## **Freedom from violence, stigma and stereotypes**

### **Critical areas of concern: D. Violence against women I. Human rights of women J. Women and the media L. The girl child**

#### **13. In the last five years, which forms of violence against women and girls, and in which specific contexts or settings, have you prioritized for action?**

Forms of violence against women and girls, which have been prioritized for action:

- Intimate partner violence/ domestic violence, including sexual violence and marital rape
- Sexual harassment and violence in public places, educational settings and in employment
- Violence against women in politics
- Child, early and forced marriages
- Female genital mutilation
- Other harmful practices
- Trafficking in women and girls

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of*

women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.

According to the Kenya Demographic Health Survey (KDHS) 2014, nearly half (49 percent) of currently married employed women make independent decisions about how to spend their earnings, an increase from 42 percent reported in the 2008-2009 KDHS. Fifty-four percent of married women participate in decisions pertaining to their own health care, major household purchases, and visits to their family or relatives.

The KDHS report (2014) indicates that gender-based violence cases reported are from age 15, with 45 percent of women and 44 percent of men aged 15-49 reporting to have experienced physical violence. The main perpetrators of physical violence against women are husbands, whereas the main perpetrators against men are parents and teachers, among others.

The report further indicates that 14 percent of women and 6 percent of men aged 15-49 reported experiencing sexual violence at least once in their lifetime. Overall, 39 percent of ever-married women and nine percent of men aged 15-49 reported having experienced spousal physical or sexual violence. Among women and men who have ever experienced spousal violence (physical or sexual), 39 percent and 24 percent, respectively, reported experiencing physical injuries. 44 percent of women and 27 percent of men have sought assistance to stop the violence they have experienced.

Cases of femicide have in the last year of the reporting period being in the spotlight though the actual number is unclear given the lack of research and documentation on femicides in the country. Civil society organisations, members of the Kenya Women Parliamentarians Association (KEWOPA) and various governmental agencies have worked on some public awareness campaigns with the focus being on calling for accountability and ending impunity on femicides.

According to KDHS 2014, 21 percent of women aged 15-49 have been circumcised with evidence of a trend over time to circumcise girls at younger ages. 28 percent of circumcised women aged 20-24 were circumcised at between ages five and nine, as compared with 17 percent of circumcised women aged 45-49. With respect to the type of circumcision, 2 percent of circumcised women aged 15-49 underwent the cut but no flesh was removed, 87 percent had cutting with flesh removed, and 9 percent had their genital area sewn closed after mutilation (a procedure known as infibulation). Girls aged 0-14 are more likely to be circumcised if their mother is circumcised.

Child marriage affects nearly one in four girls in Kenya, with 23 percent of women aged 20-24 reporting being married before age 18 in the 2014 KDHS. In Kenya, child marriage increases the risk of school dropout, social isolation, violence and negative health outcomes.

## 2. Actions prioritized in addressing violence against women and girls:

The government of Kenya prioritized the following actions in addressing violence against women and girls.

- Strengthening of laws, policies and programmes.
- Introduced and strengthened services for survivors of violence (e.g. Shelters, help lines, dedicated health services, legal, justice service, counseling, housing);
- Introduced or strengthened strategies to prevent violence against women and girls, e.g. in the education sector, in the media, community mobilization, work with men and boys;

- Monitoring and evaluation of impact, including evidence generation and data collection, including regarding particular groups of women and girls;
- Introduced and strengthened measures for improving the understanding of causes and consequences of violence against women among those responsible for implementing measures on ending violence against women and girls

These priorities are set within a national coordinating framework through the Joint programme on GBV spearheaded by Ministry of Public Service, Youth and Gender Affairs in collaboration with UN agencies. This document outlines priorities to address the existing gaps and challenges based on the current context and status of GBV in the country. This plan was developed through an extensive consultation process that brought together various government agencies and non-state actors; between May to October 2016, covering a period of four years. The overall goal of the programme is to accelerate efforts towards the elimination of GBV.

The main three outcome priorities which are also in alignment with BPfA and SDGs goal 5 are:

- To improve Kenya's legislative and policy environment so that it is in line with international and regional standards on GBV. This is an area that has witnessed some progress as indicated above. It is also intended that right holders are able to advocate for effective implementation of GBV laws, policies, and regulations or guidelines are in line with Constitution of Kenya; and capacity of duty bearers is strengthened to implement policies, legislation and regulatory frameworks on GBV.
- To ensure Kenya has favorable social norms, attitudes and behaviors at institutional, community and individual levels for prevention and response to GBV.
- Improve utilization of quality essential GBV services. Under this outcome the anticipated outputs are enhanced capacity of national and county institutions to provide quality GBV services. This also includes the strengthened capacity of service providers to provide quality, coordinated services, collect and use data in an ethical manner; improve access of GBV services to survivors including in conflict / emergency and humanitarian settings; and the improved accessibility of medical and rehabilitation services to perpetrators of GBV.

These priority areas are implemented jointly to enhance prevention of GBV; strengthen protection of GBV survivors, ensure expeditious prosecution of GBV cases; establish and implement strong sustainable programmes that are well resources; and implemented through partnership with non-state actors, development partners, county and national governments through strong coordination mechanisms at national and county level.

*Some concrete examples actions taken include:*

The Government developed the National Policy for Prevention and Response to Gender Based Violence (GBV) in 2014 which gives guidelines on implementation of GBV activities in the country.

To monitor and mitigate effects of GBV, a gender-based violence Toll Free hotline (Dial 1195) was established in March 2017. This initiative is operated by Healthcare Assistance Kenya (HAK), with support from various telecom agents such as Safaricom and Airtel and is hosted with the SDGA. The goal of HAK's SGBV hotline and the call up centre is to involve community members and survivors in the fight against sexual violence, FGM and other forms of violence that is meted on women and children by ensuring early reporting and post abuse response within the

recommended 72-hour window period. The endeavour is also to ensure that all other forms of violence are brought to an end by bringing in a platform that will enable community members to speak freely about the issues affecting them to enable HAK to find solutions for survivors faced with Sexual and Gender Based Violence.

Child Line 116 was also set up for reporting of child abuse. Childline Kenya works in partnership with the Government to stop child abuse and provide a safe environment for all children. The nationwide helpline service runs 24 hours toll free accessible services. The helpline provides counselling, rescue, safe shelter, medical care and legal support. The providers are also dedicated to provision of education to the public on child safety across the country.

The government through NGEN in alignment with its mandate Function 8(b) of the National Gender and Equality Commission Act, 2011 mandates the Commission to monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws and administrative regulations in public and private institutions. In line with this, the commission:

- a) Carried out a research study<sup>29</sup> on the cost of providing services to gender-based violence survivors. The report analyzes and estimates the costs of providing GBV services in Kenya from a health systems perspective. The mean cost of providing a minimum package of GBV services as defined in the one stop model in a first referral public hospital (County referral hospital) is Kes 44,717 (USD 502) per survivor while the medium cost is Kes 43,769 (USD 492). Establishing GBV centers in 47 counties would cost a total aggregate of Kes 10, 798,520,644 (USD 121,331,692.6). This report is expected to guide national and county governments in planning, budgeting for, and investing in prevention and treatment programmes towards the elimination of GBV in Kenya.
- b) Carried out an analysis of the Economic Burden on Survivors of GBV in Kenya<sup>30</sup>. At the national level, annual out-of-pocket medical related expenses (money which a survivor or their family paid out of their own financial resources) were estimated at a staggering \$100 million. The productivity losses from serious injuries were estimated at about \$250 million; minor injuries at \$80 million aggregating to \$460 million which translates to about 1.1 % of Kenya's gross domestic product.

The two reports advocate for establishment of safe houses for victims of GBV<sup>31</sup>: In collaboration with partners, NGEN facilitated development of a model County Government Policy on Sexual and Gender Based Violence. This provides guidance on critical elements and considerations for policy on SGBV and informs establishment of county-based mechanism for coordination of response to SGBV.

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<sup>29</sup>

<https://www.ngeckenya.org/Downloads/GBV%20Costing%20StudyTHE%20COST%20of%20PROVIDING%20SERVICES.pdf>

<sup>30</sup> <https://www.ngeckenya.org/Downloads/GBV%20Costing%20Study.pdf>

<sup>31</sup> <https://www.ngeckenya.org/Downloads/NGEN%20Model%20Policy%20on%20GBV%20for%20County%20Govts.pdf>

- c) Facilitated development of Model Legislative Framework on Sexual and Gender Based Violence<sup>32</sup> for County Governments with key partners. The framework guides County Government on important elements and considerations for legislation on Sexual and Gender Based Violence. Meru County has since April 2019, launched a Sexual and Gender Based Violence Policy that focuses on various forms of GBV.
- d) Provided technical expertise during the development of Education and Training Sector Gender Policy. The policy gives provisions for creating safe and protective learning and work environment to prevent sexual harassment and GBV at all levels of education and training sector.
- e) Facilitated development of a National Monitoring and Evaluation Framework<sup>33</sup> towards the Prevention of and Response to sexual and Gender Based Violence in Kenya, 2014. The framework aids in facilitating the availability of credible and reliable data to provide evidence-based decision making, advocacy, learning and performance monitoring for public and private institutions at both County and national government levels on issues of equality and inclusion. The M & E framework informed the development of Sexual and Gender Based Violence Information System (SGBVIS).

**15. What strategies has your country used in the last five years to prevent violence against women and girls?**

*Please provide details of up to three concrete examples, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)*

The government working in partnership with various partners has implemented a number of initiatives in prevention of violence against women and girls. These are mainly in ensuring public awareness raising and changing of attitudes and behaviors, grassroots and community level mobilization and initiative targeting men and boys.

**Public awareness raising and changing of attitudes and behaviours**

Some of the strategies applied include:

- a) Established a National Gender Based Violence (GBV) Technical Working Group and has been escalated in 25 counties. The groups consist of state and non-state actors and convene on monthly and quarterly basis. This is a platform that strengthens collaboration and partnership on addressing SGBV.

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<sup>32</sup><https://www.ngeckenyia.org/Downloads/NGEC%20Model%20Legislative%20Framework%20on%20GBV%20for%20County%20Govts.pdf>

<sup>33</sup><https://www.ngeckenyia.org/Downloads/National%20M&E%20framework%20towards%20the%20Prevention%20of%20and%20Response%20to%20SGBV%20.pdf>

- b) Conceptualization and execution of a national campaign to end GBV dubbed “Keeping the Promise GBV Campaign”<sup>34</sup> and Jitokeze (Speak Out) aimed at breaking the silence on GBV. The overarching goal of the campaigns is reduction of Gender Based Violence through development and implementation of effective and efficient prevention and response strategies. To guide the process, a handbook that seeks to clarify the roles of the different duty bearers in relation to Gender Based Violence is in place.

### **Guiding Principles on Business and Human Rights:**

The UN Guiding Principles on Business and Human Rights (UNGPs) are the global standard in the clarification of the roles and responsibilities of states, companies and other social actors in human rights. In keeping with these global standards, the Government of Kenya through the State Law office, Department of Justice and Kenya National Commission on Human Rights has recently developed a framework for implementation of the UNGPs through the National Action Plan on Business and Human rights. The policy compliments already existing obligations that Kenya observes in relation to Gender by integrating gender dimensions in the definition of corporate responsibility to respect human rights and for the continued protection of the rights of women and prevention of discrimination and violence resulting from the impacts of development projects and business operations.

### **16. What actions has your country taken in the last five years to prevent and respond to violence against women and girls facilitated by technology (online sexual harassment, online stalking, non-consensual sharing of intimate images)?**

The Government of Kenya working with multisectoral partners especially gender and media organisations, identifies technology assisted VAWG/ GBV as one of the key areas of intervention and sets priorities in its programme document on GBV.

Further, Kenya has enacted The Computer Misuse and Cybercrimes Act of 2018; assented on 16th May 2018 and came into force on 30th May 2018. The law is expected to curb cybercrimes and computer related offenses to enable timely and effective detection, prohibition, prevention, response, investigation, and prosecution of computer and cybercrime.

This law is critical given the rise in internet and mobile technologies have facilitated new trends in VAWG moving what is often seen as offline VAWG to online spaces such as Facebook, Twitter, Instagram among others. These forms of violence include cyber-stalking, cyber-bullying, online harassment, trolling, hacking, surveillance, impersonation and in the case of children, grooming. Sharing of embarrassing material on social networking accounts and receipt of offensive communication are also common types of incidents of such violence.

Kenya has also established a Cyber Crime Unit section at the Anti-Human Trafficking-Child Protection Unit (AHT-CPU). Under Kenya DCI, UNODC is looking to make the Kenya unit a center of excellence unit in addressing Online Child Sexual Exploitation and Abuse (OCSEA- a form of CSEC) in the EA region.

### **17. What actions has your country taken in the last five years to address the portrayal of women and girls, discrimination and/or gender bias in the media?**

*Please provide details of up to three concrete examples, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also*

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<sup>34</sup><https://www.ngeckeny.org/Downloads/Keeping%20the%20Promise%20Handbook.pdf>

*provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

Kenya has enacted legal reforms to combat gender bias in the media. The media in Kenya is diverse and largely free following the liberalization of the airwaves and entry into the market of private and vernacular radio stations. According to the Media Council Annual Status Report 2012, there are 301 radio stations categorized as being “on air”, 6 daily newspapers, 11 weekly newspapers and 20 monthly magazines; and h. Kenya has more than 15 television stations available in major towns across Kenya. The Kenya Broadcasting Corporation is the only Government owned broadcasting station.

The Government has taken deliberate measures to ensure that women are portrayed positively in Kenya by passing the Media Council Act (2013) which contains a Code of Conduct for journalists that calls for objectivity and fairness in portrayal of women and children. Increasingly the electronic media has improved its coverage of children by respecting their privacy. The Government efforts have been complemented by women media organizations which conduct trainings and provide scholarships for women journalists to enable them to compete for jobs on an equal footing with men.

Media has traditionally been identified as a powerful tool and strategy for promoting women participation in leadership, governance and decision making. On the other hand, media is a strong conduit of stereotypes against women leadership and an agent of depicting women as a weaker gender in politics. In effort to holding media accountable, one of the media organizations on gender and media worked with 4 community radio stations to develop media gender policy to strengthen their editorial practice and structure. Using a simple Monitoring and Evaluation tool, the partner observed that these radio stations now provide more airtime for women leaders and aspirants to market themselves to communities as leaders. Further these community media houses also use innovative interactive shows to challenge gender stereotype on women in politics.

Kenya has introduced binding regulation for the media, including for advertising and supported the media industry to develop voluntary codes of conduct. Non-state actors and development partners have supported and provided training to media professionals to encourage the creation and use of non-stereotypical, balanced and diverse images of women and girls in the media as well as promoted the participation and leadership of women in the media. Such initiatives have improved women in middle management of media houses with only two women in the media to have reached the position of Managing Editors. One of the Media and Gender women’s organizations has been providing scholarships to women in the media to support their advancement and qualifications for growth within the sector. During the period under review, they provided 26 scholarships to women in the media. Such nonstate actors continue to engage in advocacy to challenge media houses for underrepresentation of women as experts and news makers in the country.

**18. Has your country taken any action in the last five years specifically tailored to address violence against specific groups of women facing multiple forms of discrimination?**

YES/NO

*If YES, please list them and provide up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

Yes. The government works in collaboration with various civil society organizations including women's rights, youth, widows' rights, disability rights, health and rights organizations whose mandate specifically addresses several concerns based on the inequalities experienced by groups of women facing multiple forms of discrimination and violence.

Kenya has developed an Inter-governmental Consultative Framework on Gender between the County and National. The main aim of the framework is to ensure that the participation, needs and concerns of marginalized groups, those in rural and remote areas and other experiencing multiple forms of discrimination such as older women, women with disabilities, younger women and girls are not left out of processes.

## **Participation, accountability and gender-responsive institutions**

**Critical areas of concern: G. Women in power and decision-making H. Institutional mechanisms for the advancement of women I. Human rights of women J. Women and the media L. The girl child**

**19. What actions and measures has your country taken in the last five years to promote women's participation in public life and decision-making?** *Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

Women's participation in public life and decision making is an important measure of the status of women. Hence, in recent years, women's participation in politics and decision making has received significant attention across the world. However, even with leading examples globally of how women's decision-making and leadership is transformative, women's political leadership remains seriously underrepresented in some countries including Kenya.

**The Constitution and legislative frameworks:** Kenya is lauded for having one of the most progressive Constitutions in the world. A key area for Kenya has been in implementation of the constitution and having laws and regulations that promote women's participation in politics, especially at decision-making level, and the adoption of temporary special measures, such as quotas, and reserved seats, for women. The progressive aspects of the law have equally been met with resistance and negative gender norms in implementation thus becoming a challenge in realization of benchmarks and targets in participation of women in decision making and political leadership.

**Enactment of public participation Act:** Articles 10(2) and 174(c) of the Constitution, gives powers of self-governance to the people and is expected to enhance the participation of the people in the exercise of the powers of the state and in making decisions affecting them. To this end, the 47 County Governments have enacted the legal frameworks (the County participation Act) for facilitating public participation in county government policy processes and service delivery and for connected purposes. These consultative forums have witnessed an increase in the number of rural women participating and contributing in public fora convened by county governments to discuss the County Integrated Development Plans (CIDPs), county annual budgets and county sector plans, among other county activities.

**The County Assemblies Forum (CAF):** This is the coordinating body of the 47 County Assemblies of the Republic of Kenya and is mandated to support the County Assemblies perform their three core functions: law making, oversight, and representation, by providing an avenue for coordination, capacity development and networking amongst the 47 Assemblies and with the

executive arm, as well as with national government. The County Assemblies constitutional mandate is to establish and sustain an enabling environment to advance development. Through its legislative and oversight functions, a democratic Assembly reflects the views and interests of the society from which it is drawn and allows those perspectives to shape the society's social, political and economic future.

To achieve this, the County Assembly members' capacity to influence the legislative agenda from a gender perspective is paramount. This requires a robust capacity development framework that entails; establishing a robust technical team, development of gender mainstreaming tools and sensitizing members with gender-related knowledge and practice in governance and policy making and developing a comprehensive mentorship - program for Women Legislators. The County Assemblies Forum is a project titled, Capacity development for Policy and Legislative Effectiveness in County Legislatures with a particular focus on gender. This is an important initiative that is building on the work to deepen the gender mainstreaming within the devolved structures. CAF has a draft gender policy and a curriculum on a leadership program for female Members of the County Assemblies (MCAs), all of which are geared towards the strengthened capacity of MCAs to influence on matters of gender equality.

**Roll out of National public participation guidelines:** The Ministry of Devolution and Planning rolled out Public Participation guidelines (2016) which in principle interpret public participation as broadly encompassing an interactive process between state and non-state actors of public communication and access to information, capacity building and actual engagement in county governance processes. The guidelines further note that participation in county governance is open to all members of the public, either individually or in a self-organised form that is legally recognized and that no one can be barred from participating on any grounds such as age, race, colour, gender or political affiliation.

Enactment of progressive legislations, for instance, the political parties (amendment) Act 2016, compels political parties to comply with the two-thirds gender principle in their governance structures. Public funding of political parties is incumbent upon compliance.

**Failure to adhere to a constitutional requirement** of the two thirds gender principle: Article 27(8) sets that not more than two-thirds of one gender shall occupy elective or appointed positions yet none of the state organs charged with the task of implementing the constitution has a practical solution to the challenges faced in meeting the not more than two thirds gender rule.

The fact that Kenya's constitutional framework is conducive for women's political leadership helps to a certain extent. The problem facing women in politics in Kenya have common roots with the problems that prevent women's empowerment in other spheres, a challenge that points to the patriarchal notions dictating how power and authority are understood in society. These patriarchal values, attitudes and norms continue to portray women as incapable of handling power and responsibility thus making it harder for women to enter politics. Such attitudes have dictated the blockages in the realization of the two-thirds gender rule in Kenya. Parliament has not passed the Gender Bill that would provide an operational framework for realization of this gender rule, a fact that would see the numbers of women in elective positions increase in Kenya.

Due to Affirmative Action measures, Kenya has a 25 percent political representation of women, which is an improvement from previous Parliament composition that was below 10 percent. The lack of realization of the two-thirds gender rule affects both elective and appointive positions, including representation in Boards. Table 1 below represents the figures for elected and nominated women in different public offices.

Table 1: elected and nominated woman in public offices

Source : KNBS 2018

Position	Elected		Elected Women Rep	Nominated special Interest group		Total			% Representation	
	Men	Women	Women	Men	Women	Over all Total	Women	Men	Women	Men
President	1	0					0		0	100
National Assembly	266	23	47	6	6	349	76	273	21.7	78.2
Senators	44	3		2	18	67	21	46	31.3	68.7
Governors	44	3				47	3	44	6.4	93.6
Deputy governors	40	7				47	7	40	14.9	85.1
Speaker of the Parliament	2	0				2				100
MCA's*	1,353	96		98	649	2196	745	145	33.9	66.1

**Women serving in boards:** Kenya has been ranked to be having the highest number of women serving on company boards in Africa at 19.8% above the global average of 15% according to the international Finance Corporation (April 2019).

Table 2: Women in various decision-making positions

Position	2013			2017		
	Total	Women	% Women	Total	Women	% Women
Cabinet secretary	18	3	33.3	22	6	27.3
Principal secretary	26	7	26.9	40	8	20.0
Supreme court judge	7	2	28.6	7	2	28.6
Court of appeal Judge	26	8	30.8	22	7	31.8
High court Judge	86	35	40.7	131	54	41.2
Magistrate	410	182	44.4	421	207	49.2
County Commissioner	47	17	36.1	47	17	36.1

**Lessons learned including gaps and opportunities to improve the situation:**

There is increase in the number of women who aspire to venture into politics; however, these women have to navigate significant obstacles propped up by both the society and their opponents, leading to a Constitutional crisis. The issue in this instance is, whether these Constitutional provisions especially the not more than two thirds gender rule is enough to make Kenyans vote for women. These issues arise from the effect that, none of the state organs charged with the task of implementing the constitution has a practical solution to the challenges faced, that is, neither. Other than the legal provisions, set in the Political Parties Act, the Elections Act in line with the implementation of Article 81 (b) of the Constitution; it is important to invest in capacity building for women to enhance their engagements in leadership, governance and political processes;

implement the law especially when it comes to discrimination and violence experienced by women during electoral and political processes; engage in continuous civic education and public education to address negative gender norms; and ensure gender responsive budgeting, a process whose potential transformative agenda can be entrenched through a legislative process so as to institutionalize it.

**20. What actions has your country taken in the last five years to increase women’s access to expression and participation in decision-making in the media, including through information and communication technologies (ICT)?**

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 \$3.451 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 \$18 billion in 2016 to \$32 billion in 2017. Total mobile money transfers increased by 8.4% from \$33.56 billion in 2016 to \$36.38 billion in 2017.

The average price of a one-minute mobile to mobile call declined marginally from \$0.0308 in 2016 to \$0.03 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).

*Table 3: 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

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.

This is as a result of the initiatives being implemented in this sector which includes:

The implementation of the Digital Literacy Programme (ICT Integration in Primary Education) whose main aim is the integration of ICT into teaching and learning for pupils in primary schools has had a strong take-off. The components of this project include improvement of ICT infrastructure; development of digital content; capacity building of teachers and implementers; and procurement of ICT devices.

Private sector has also made contribution towards this goal with some examples including internet for Schools programme which provides free 3G Internet for Schools to both primary and secondary across Kenya. Through the project, 322 schools have been connected, impacting the lives of over 200,000 students in 33 counties out of the 47 counties in Kenya. More than 100 schools have been provided with tablet devices that will capture data about students and the facilities. From the information acquired, leaders will have a better understanding of current progress and challenges as well as be able to offer recommendations for improvement.

## **21. Do you track the proportion of the national budget that is invested in the promotion of gender equality and the empowerment of women (gender-responsive budgeting)?**

YES/NO

**If YES, what is the approximate proportion of the national budget that is invested in the promotion of gender equality and the empowerment of women? Please provide information on the specific areas in which these resources have been invested as well as reflections on achievements and challenges encountered in making budgets gender responsive.**

### **Gender-responsive budgeting:**

The Government of Kenya adopted Gender Responsive Budgeting (GRB), which seeks to mainstream gender into budgetary process from planning to implementation, monitoring and evaluation. GRB has been increasingly used as an effective tool, both to hold government accountable to its commitment to gender equality and to achieve gender equality. The Government of Kenya has embraced budget reforms, which includes the public's participation in the budget making process to allow transparency and negotiations. Public sector hearings of the budget preparation are announced through the local media, which gives women the opportunity to make their contribution in the budget development process. The other positive development is the shift to programme based budgeting, which provides for the financing of specific programmes/projects. This shift has enabled the government to track budgetary allocations that target gender responsive budgeting targeting programmes that benefits women, and hence lead to their empowerment. Resources are also being allocated and utilized based on sex-disaggregated data. The GRB demonstrates the government's commitment to the reduction of discrimination against women especially in economic participation through the allocation of resources to activities which promote the empowerment of women.

An analysis of the budget in 2016 indicates changes in the budget which address gender concerns. The total allocation to education sector stood at \$3.3932 billion for 2016/17, an increase of \$31 million, from \$3.362 billion for 2015/16. Sanitary towels for girls were allocated approximately

\$4.50 million in the last 3 years thus keeping many girls in school, enabling them to compete equitably with the boys.

In health, the overall allocation for health sector during the 2016/17 budget period was \$603 million, an increase from \$592 million for 2015/16. Maternal health care allocation stood at \$43 million. Family planning services allocation was \$4.664 million. Conditional county government grant allocation for free maternal health care stood at \$41 million.

Allocations for agriculture, rural and urban development was \$696.4 million, which included \$1.11 million for gender responsive extension services and \$400,000 for youth and women empowerment in modern agriculture. The money was disbursed as subsidies to small businesses, cooperative and self-employed that will address the gender needs as well as promote the youth and women who mainly have limited access to collateral required for loans.

A key aspect in ensuring the transformative potential of GRB is setting a legislative framework to ensure its institutionalization. This is yet to be addressed in Kenya.

### **23. Does your country have a valid national strategy or action plan for gender equality?**

YES/NO

**If YES, please list the name of the plan and the period it covers, its priorities, funding and alignment with the 2030 Agenda for Sustainable Development, including the targets under SDG 5. If YES, has the national action plan been costed and have sufficient resources been allocated to its achievement in the current budget?**

Yes. The Strategic Plan for the State Department for Gender (SDG) stipulates the Department's strategic direction for the period 2018- 2022. The process of putting together the Strategic Plan was consultative and participatory, taking into consideration the Ministry of Devolution and Planning guidelines for the preparation of fourth generation strategic plans (2018-2022).

The five thematic areas that will guide the SDGA's work are:

1. Gender Policy Management, Gender Research and Gender Mainstreaming
2. Socio-Economic Empowerment
3. Elimination of Gender-Based Violence and Harmful Practices
4. Coordination and Stakeholders Engagement
5. Institutional and Organizational Capacity Strengthening

### **24. Does your country have an action plan and timeline for implementation of the recommendations of the Committee on the Elimination of Discrimination against Women (if a State party), or of the recommendations of the Universal Periodic Review or other United Nations human rights mechanisms that address gender inequality/discrimination against women?**

YES/NO

If YES, please provide some highlights of the action plans and timeline for implementation

Yes. The CEDAW Committee issued concluding observations on Kenya's 8<sup>th</sup> Periodic Report in December 2017. The next (9<sup>th</sup> Periodic Report) for Kenya is due in 2021. The country is also required to implement specific recommendations and give written information to the Committee within two years on the following:

Immediately put in place the institutional and legal framework required to implement the 2006 Presidential Decree on affirmative action and the constitutional two thirds gender rule for women in all public offices.

- Ensure political parties that are not compliant with the two thirds gender rule are unable to access funds as per the Political Parties Act of 2011 and provide incentives to those political parties that include an equal number of women and men on their electoral lists and at equal ranks.
- Amend the Penal Code to decriminalize abortion in all cases, and legalize abortion, at least in cases of rape, incest, severe foetal impairment, and risk to the health and/or life of the pregnant woman and ensure access to quality post-abortion care, especially in case of complications resulting from unsafe abortions, and reinstate the Standards for Reducing Morbidity and Mortality from Unsafe Abortion in Kenya of 2012; and,
- Repeal Section 7 of the Matrimonial Property Act and recognize the principle of equality in all areas of marriage, including property inheritance/ ownership for widows;

The State Department for Gender has therefore developed a National Action Plan (2018 – 2021) to implement the 2017 CEDAW Concluding Observations. The Plan highlights the action required, responsible actors and implementation timeline.

## **25. Is there a national human rights institution in your country?**

YES/ NO

**If YES, does it have a specific mandate to focus on gender equality or discrimination based on sex/gender?**

**If YES, please provide up to three examples of how the NHRI has promoted gender equality.**

Yes. Kenya has the National Commission on Human Rights (KNCHR)

The KNCHR has the overarching broad mandate to protect and promote all human rights in Kenya including gender equality and freedom from discrimination. The KNCHR is however limited on its mandate to investigate matters of gender equality and monitoring the state's compliance of treaties and conventions touching on equality and non-discrimination as this mandate is bestowed to the National Gender and Equality Commission (NGEC). The KNCHR therefore works in complementarity with the NGEC on these issues including referral of complaints.

Examples of how the KNCHR has promoted gender equality:

### **i. Public Inquiry on Sexual and Reproductive Health Rights**

The KNCHR in 2012 carried out a Public Inquiry on Sexual and Reproductive Health Rights in Kenya to establish the nature and extent of violations of sexual and reproductive health and recommend appropriate redress.<sup>35</sup> This inquiry documented its findings which highlighted the culture of impunity in relation to sexual abuse and violations as key factor in perpetuating the vice. The report further highlighted the existing barriers which impede victims' access to remedies including lack of one stop shop where all services for victims of sexual violence are available; difficulties in accessing documentation for those who have suffered sexual violence, unaffordable

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<sup>35</sup> [http://www.knchr.org/Portals/0/EcosocReports/Reproductive\\_health\\_report.pdf?ver=2013-04-23-164317](http://www.knchr.org/Portals/0/EcosocReports/Reproductive_health_report.pdf?ver=2013-04-23-164317)

post-rape care services; averagely services charged at USD 30 and re-victimization of victims in the justice system.

Based on its findings, the KNCHR gave recommendations including the need for provision of legal, medical and psychosocial support and referral for victims/survivors of sexual violence and remove barriers that hinder access to justice in respect to sexual violence including delays in prosecuting violence. The KNCHR further called for an analysis of the cost of sexual violence to the economy to evidence the economic prudence of investing in preventive measures rather than incurring costs in managing sexual violence and the attendant consequences post-facto.

As a follow up of the inquiry, KNCHR, in 2018, carried out an audit of the recommendations issued to different institutions and the findings revealed that 7 recommendations have been implemented, 15 recommendations partially implemented, and 5 recommendations not implemented. Among the ones implemented include a cost analysis study on SGBV conducted by the NGEK. Those not implemented include the recommendation to have in place health equipment such as beds that are easily accessible to those with physically disabilities. Access to justice for survivors of sexual and gender-based violence still remains a challenge. Sexual minorities' rights continue to be breached especially in regard to their privacy and confidentiality. These minorities still face entrenched homophobia, stigma and discrimination at the community level.

## **ii. Monitoring rights of women during elections**

In 2017, the KNCHR embarked on a comprehensive documentation of electoral related sexual violence that highlighted the worrying trend of sexual violence against the vulnerable in society being utilized as a weapon of conflict. The KNCHR has also undertaken steps to secure redress for the electoral related sexual violence. The Commission together with other key stakeholders are in court in two cases namely; Petition No. 122 of 2013 and Petition no. 273 of 2011 that seeks among other prayers reparations for sexual violence victims in the

2007 post-election violence that engulfed the country. The KNCHR is also a member in a working group established by the Attorney General to develop a framework to operationalize the restorative justice fund that places a keen focus on reparations of victims and survivors of sexual violence. In addition, the KNCHR is also engaged in an advocacy campaign of both state and not state actors including religious leaders on the trends and patterns of conflict related sexual violence and the need for Kenya to lift its reservation of article 14 (2) C of the Maputo protocol.

On the issue of the two thirds gender representation, the KNCHR moved to court via petition number 371 of 2016 to challenge the failure by parliament to operationalize this principle. The KNCHR submitted that parliament was in breach of its constitutional obligation by failing to enact legislation to promote the representation in parliament of, among other groups, women by the deadline of 27<sup>th</sup> August 2015. The KNCHR submitted that the enactment of the two-thirds gender legislation is essential for the enjoyment of the fundamental rights of equality and non-discrimination as enshrined in Article 27 of the Constitution. The KNCHR further submitted that the failure of parliament to enact the crucial legislation in time as required by the Constitution represents a serious violation which the Parliament swore to uphold. The Courts agreed with these submissions and ruled that parliament had failed in its constitutional obligation to operationalize the two thirds gender rule and as such ordered for the enactment of the legislation to operationalize the principle. This decision was upheld at the court of appeal.

### iii. Audit of the situation of human rights defenders

The KNCHR, in 2017, carried out an audit of the situation of women and other vulnerable human rights defenders in Kenya in 2017.<sup>36</sup>The study sought to understand the role of women human rights defenders (WHRDs) in promoting human rights and the risk factors and human rights violations they face while carrying out their work. One of the key findings of the report is that WHRDs face violations that take gender specific forms such as verbal abuse based on their sex, sexual abuse and rape. Notably, women human rights defenders work towards securing redress for victims/survivors of sexual violence. The study made key recommendations to key state actors on improving the situation of women human rights defenders including specific protection mechanisms and policies that address structural causes of human rights violations and violence against WHRDs.

## Peaceful and inclusive societies

### Critical areas of concern: E. Women and armed conflict I. Human rights of women L. The girl child

#### 26. What actions has your country taken in the last five years to build and sustain peace, promote peaceful and inclusive societies for sustainable development and implement the women, peace and security agenda?

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

#### **Adopted and implemented a National Action Plan on women, Peace and security:**

Since the adoption of UNSCR 1325 on Women, Peace and Security in 2000, the Government of Kenya has continued to implement provisions of the resolution including the supporting resolutions mainly: UNSCR 2122 (2013) and UNSCR 2242 (2015). Kenya submitted its first report in 2014 and since then a number of milestones have been realized. The Government launched the Kenya National Action Plan (KNAP) on UNSCR1325 in March 2016 covering the period 2016-2018. It has also established a secretariat to coordinate the implementation of the KNAP and a National Steering Technical Committee whose central role is to provide guidance in the implementation process and assist the KNAP Secretariat in planning, coordination and resource mobilization.

The Committee draws its membership from government ministries, departments and agencies; independent constitutional commissions; civil society; private sector, academia and the media. The coordination and implementation of the KNAP is jointly spearheaded by the Ministry of Public Service, Youth and Gender Affairs and the Ministry of Interior and Coordination of National Government. Focal Point Officers has been appointed in all Government Ministries to monitor and report on implementation the National Action Plan Additionally, Kenya has a Gender Sector Working Group under which a Task Force on Women Peace and Security has been established to augment the work of the National Steering Committee.

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<sup>36</sup>[http://www.knchr.org/Portals/0/OccasionalReports/Gender%20Audit%20of%20the%20Situation%20of%20WHRD\\_2017.pdf?ver=2017-06-29-164919-560](http://www.knchr.org/Portals/0/OccasionalReports/Gender%20Audit%20of%20the%20Situation%20of%20WHRD_2017.pdf?ver=2017-06-29-164919-560)

The KNAP is anchored on the values of gender equality, inclusion and participation as enshrined in Kenya's Constitution. The Constitution mandates the substantive inclusion and active engagement of women in the public sphere and provides quotas for women's inclusion in decision-making positions. Article 27 provides for the right to equal opportunities in political, economic, cultural and social spheres. It also obligates the state to take affirmative action measures to redress past injustices and ensure equality.

Further, Article 2(6) provides that international laws and norms are part of the laws of Kenya thereby domesticating international and regional instruments that Kenya has ratified. This directly links Resolution 1325 and the subsequent related resolutions to the KNAP. An assessment of the KNAP has been undertaken in order to inform the 2<sup>nd</sup> generation Action Plan on UNSCR 1325.

Kenya has made progress in recognition of women in leadership and decision making in the security sector, an important component of the pillars of Women, Peace and Security Resolution 1325. This includes the promotion of the first female Brigadier in Kenya in 2016, who is now the first female General as at 2019 the highest position held by a woman in the disciplined forces; appointment of the first female Cabinet Secretaries for the Ministry of Defense and Foreign Affairs. More than 19 % of Kenyan peacekeeping troops deployed in the field, including military experts, are women (2016/2017), Women constitute 8% of the Kenya Defence Force (2016) 10% of the National Police Service and 21% in the Kenya Prisons. Kenya has contributed in total 63 women (31 military and 32 police) to AMISOM peacekeeping mission in Somalia.

**Gender sensitive, conflict analysis and early warning systems:** In efforts to empowering women on early warning information sharing on the possible emergence of conflicts and other threats to peace and security, National Steering Committee on Peace Building and Conflict Management (NSC/PBCM) created an elaborate framework on early warning that has since engaged more than 4,000 women drawn from 6 regions in the country. The 63 engagement has resulted in subsequent interactions with women and youth at the grassroots levels. The Government through the Ministry of Defense adopted a Gender Policy in May 2017 to guide the integration of gender and UNSCR 1325 in all military operations, including in early warning system. Specifically, the policy aims to formalize the commitment as well as strengthen capacities for gender mainstreaming by integrating gender in planning, budgeting and operations of the Ministry of Defense.

**Constitutional Commissions and citizen's engagement on peace and national cohesion:** The country has made progress in promotion of peace nationally, regionally and internationally by establishing institutional bodies like National Cohesion and Integration Commission (NCIC), Ethics and Anti-Corruption Commission (EACC), Kenya National Human Rights and Equality Commission, Kenya National Gender and Equality Commission. Regionally,

Kenya has participated in various peace keeping missions and support operations like Somalia Peace Keeping Missions as well as the Karamoja cluster which encompasses cross border areas of Ethiopia, Kenya and Uganda, the program was initiated to reduce vulnerabilities and increase the resilience of communities affected by conflict and climate induced migration along the common borders. In August 2016, Kenya passed Access to Information (ATI) legislation aimed at fostering transparency in government and underlines the Government's willingness to enhance citizen engagement, transparency and accountability. The National Cohesion and Integration Commission (NCIC) was established by the National Cohesion and Integration (NCI) Act, No. 12 of 2008 has enhanced the participation, leadership and empowerment of women in peace building initiatives in respect of the women, peace and security agenda. It has, amongst other initiatives: created platforms where Women can engage to steer reintegration, reconstruction, prevention and response efforts; supported the building of skills, knowledge and exposure for women to meaningfully

participate in political and peace processes; and created safe spaces where they can share and harness their influence at the family, community and national levels.

Kenya has faced drought episodes of varying magnitudes and different impact. This natural catastrophe has destroyed lives and livelihoods and undermined national development. These impacts are likely to worsen with climate change. However, many of these costs could be avoided or significantly mitigated by reducing people's level of exposure and vulnerability to risk. Thus, the Ending Drought Emergencies Programme Framework pillar one on peace and security was operationalised. Led by the Peace-building and Conflict Management Directorate in the Ministry of Interior and Coordination of National Government, this initiative works closely with county governments and other state and non-state partners to ensure that peace infrastructure to respond to conflicts and security risks is enhanced; the Inter-community conflicts and security risks are reduced; and the peace building and community security is mainstreamed in the development agenda. Focused on the Arid and semi-arid counties, which are approximately 15 million people (36% of the national population) it aims at ensuring there is effective response to peace and security threats in ASAL counties by a strengthened peace and security infrastructure.

The framework is guided by the relevant provisions of the Constitution with regard to gender and diversity and those of UN Security Council Resolution 1325 on women and peace and security. Insecurity and violence have specific impacts on women and girls, while women also play a critical role in the prevention and resolution of conflict. Each component of the framework will seek to enhance women's role and contribution to peace building and conflict management and ensure gender-disaggregated monitoring of progress and impacts.

**Participation of women in peace structures and activities at different levels:** Kenya seeks to establish effective peace and conflict structures throughout the country, the Government has put in place mechanisms to foster peace among warring communities through initiatives like joint Cultural Festivals.

Kenya is the chair of Inter- Country Quality Nodes on peace education in Africa and has signed treaties on cultural exchange programs with 51 countries hosting Kenya Missions. The treaties focus on promotion of cultural tourism, peace and human understanding among others.

As of November 2018, the total number of members in District Peace Committees was 4,505, out of which 29% are female and 71% are male (3,250 men and 1,300 women). Out of the total number of 301 sub-county peace committees in 47 counties 134 (45%) meet the constitutional threshold of 33% gender parity.

During the review period, Kenya implemented a number of initiatives to achieve this goal which include, Sessional Paper No. 5 of 2014 on Peace building and Conflict Management in Kenya. It was adopted by the National Assembly in August 2015. 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. Engagement with the political leadership has been sustained to seek their support in the peace agenda.

**To promote partnerships and mutual cooperation,** Kenya is participating in cross-border meetings and other tripartite arrangements such as IGAD/CEWARN. Bilateral, cross-border peace dialogues with neighboring countries are held regularly to address conflict issues. The Government with the support of development partners is implementing peace dividend projects to support peace initiatives geared towards weaning communities from violence and enabling them to use their energies in building peace. Some of the challenges faced include; local, regional and international terrorism threats; inadequate resources for implementation of awareness campaigns that are

specific to the women, peace and security agenda; a high influx of refugees due to regional conflicts; radicalization of the youth thus being a constant internal threat; cyber-crime; high rates of youth unemployment breeding crime; and transnational and trans-border crime and networks.

**27. What actions has your country taken in the last five years to increase the leadership, representation and participation of women in conflict prevention, resolution, peace building, humanitarian action and crisis response, at decision-making levels in situations of armed and other conflicts, and in fragile or crisis settings?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

Kenya has promoted and supported the meaningful participation of women in peace processes and integrated a gender perspective in humanitarian action and crisis response. Some of the efforts have been to prevent the emergence of violent conflict and include these examples:

**Incorporation of Women Mediators in Early Warning Early Response Mechanisms**

Together, with key stakeholders the NCIC revamped the Uwiano (Harmony) platform which constitutes of twelve principals at the national level and numerous stakeholders at the local level. The platform was engendered through the selection and training of Uwiano Women Mediators at the national, county and community levels. 98 women across the 47 counties were mobilized and trained on mediation and conflict management. This initiative seeks to position women at the center point of mediation, which has not been the common practice. The trained women mediators provide linkage with other national high-level mediators and provide timely early warning information for response purposes.

**Targeted engagement of Police Women in peace building efforts**

Targeted efforts were put forth to ensure that Police Women were selected and participated in initiatives that seek to build the capacity of police officers in monitoring and evidencegathering on hate speech and political incitement. Out of 159 police officers drawn from both administration police and criminal investigation department trained on hate speech laws and NCI Act (2008), 18 female officers participated, in a process that saw a total of 141 male officers participate. The Commission acquired monitoring gadgets which will facilitate the work of the officers in gathering credible evidence that can be used for prosecution and continues to lobby for more women officers to participate in peace building efforts by the service.

**Women Cohesion Monitors**

In preparation of the 2017 General Elections and in the efforts to strengthen its Conflict Early Warning and Early Response (CEWER) strategy, the NCIC recruited one hundred and seventeen (117) cohesion monitors. This process was geared towards engendering the Early warning System and made special request for County selection processes to consider women participants. 56 female monitors were eventually recruited together with 61 male monitors. The monitors were trained to enhance their capacity on monitoring, hate speech and on themes related to peace and cohesion. A minimum of two (2) and a maximum of three (3) Cohesion monitors were recruited per County. Three of the monitors are based at the Commissions office in Nairobi.

**Women inducted to lead Amani (Peace) Clubs**

Amani Clubs County Coordinators Induction Training ensured that Women teachers were selected as part of the 47 County Coordinators. The project benefits from the leadership of 15 Women County Coordinators and encourages the participation of the girl child in its various peace

initiatives. As a platform for social dialogue and dispute resolution amongst young people, and between young people and their neighboring communities, the clubs also act as platforms where both boys and girls, in and out of schools inculcate the appreciation of national values and diversity amongst different gender, ethnic, racial and religious communities.

### **Peace forums with women and women political leaders**

A capacity building forum was held with at least 73 women leaders where they were sensitized on the provisions of the UN Security Council resolution 1325 and their role in mediation and peace building within their societies. Being leaders, they were tasked with dissemination of the information and championing the involvement of women in peace platforms especially within the County Government structures.

Several public awareness efforts that targeted women were held where women were called upon to be vigilant actors in promoting peace and cohesion within society. As the backbones of the family unit, the women were encouraged to be actively engaged in sensitizing their family members on issues related to peace, radicalization and matters related to cohesion.

Women from diverse denominations were at the fore front in initiating National Prayer Days that called upon the people of Kenya to observe peaceful elections in the 2017 general elections. More than 3000 women were mobilized in Nairobi County for instance. These platforms became strategic points of engagement for women to share experiences, show leadership in peace efforts in the country and rallying the country towards a common agenda of promoting peace.

Other actions taken include the work with the National Police Service to ensure:

- Increase in the number of female officers deployed in frontline areas and peace keeping operations. A total of six hundred (600) officers from Kenya police service and around three hundred (300) from Administration Police are deployed in frontline areas and six (6) deployed to United Nations Mission in Somalia under the command of a senior woman officer.
- Following reforms in the Service there is an increase in the number of senior positions held by women including appointment of a female Deputy Inspector General. Other senior positions held by women include Directors Community

Policing Gender and Child Protection, Reforms, Inspections, Commandant Tourist Police Unit, Commandant CID training school, Commandant Traffic, County Commanders.

- Currently, 25 Police women are in the rank of Police Commissioner and 7 in the position of Assistant Inspector General.
- Efforts to prevent and counter terrorism and violent extremism through training of 175 women and men on countering violent extremism. Trainings in five Counties were conducted by the NCIC to enhance the capacity of peace actors to address issues related to violent extremism. The trainings have equipped the communities with information and gender analysis on violent extremism in Kenya, countering dominant narratives to violent extremists' narratives, gender analysis and the role of women in violent extremism and early warning and early response to violent extremism.
- Establishment of a data base of 177 trained women working on countering violent extremism accessible to partners and the Commission.

A functional database was established to provide a long-term resource and source of data that captures women, civil society and practitioners working in peace and security with programs focused on de-radicalisation and countering violent extremism in the five counties of Kwale, Kilifi, Mombasa, Mandera and Wajir.

Information was collected through a desk-top review and validation exercises of the women, civil society and practitioners working on issues of violent extremism, peace and security; the National Cohesion and Integration Commission National Stakeholder Mapping Report of 2013 and active peace building networks of partners including the County Commissioner's Offices. As a result, at least 57 organizations in Mombasa, 39 in Kilifi, 37 in Kwale, 25 in Mandera and 19 in Wajir were identified. The organisations comprise of Community Based Organisations (CBOs), Civil Society Organisations (CSOs), Faith Based Organisations (FBOs), Non-Governmental Organisations (NGOs), among others.

Consultative Forums of women practitioners for cross learnings, sharing of experiences and new knowledge in tackling drivers of radicalization and violent extremism among the women civil society, practitioners and key stakeholders from the five counties were supported.

The discussions sought to analyze county and national drivers of Violent Extremism in order to better understand the local drivers of insecurity and violent extremism in the target counties, as well as community perceptions of national and international responses to prevent and counter violent extremism. They interrogated the: roles women play in preventing and advancing violent extremism including grievances that attract women; pathways that strengthen women resilience against attracting factors; and practical strategies and action plans for advancing the participation of women.

Local community awareness forums targeting youth, women groups, community policing structures, school children among others local community forums were mobilized. These consultative and public forums were used to encourage public participation in the development and review of County strategies on countering violent extremism which are under development.

**28. What actions has your country taken in the last five years to enhance judicial and non-judicial accountability for violations of international humanitarian law and violations of the human rights of women and girls in situations of armed and other conflicts or humanitarian action and crisis response?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

Kenya has implemented legal and policy reform to redress and prevent violations of the rights of women and girls.

Kenya has taken measures taken to strengthen the capacity of security sector institutions on human rights and prevention of sexual and gender-based violence and sexual exploitation and abuse. The Government has worked and continues to work in collaboration with the International Peace Support Training Centre to support the training of military, the police and civilians on prevention of conflict related SGBV.

- Training has been undertaken targeting sixty-eight (68) males and sixty-seven females (67) peace support operation personnel (military, police and civilians) on preventing sexual and gender-based violence in conflict contexts.

- Enhanced the capacity of 75 military officers deployed to AMISOM on preventing and responding to sexual and gender-based violence in Somalia.

The Government through the Ministry of Interior and Coordination of National Government has strengthened the research and documentation component through increasing its human resource capacity. This has strengthened institutional capacity for results-based reporting, regular joint missions, conflict analysis and documentation of project results. It has also resulted to improved gender sensitive reporting by ensuring disaggregation of data in briefs and reports and has largely informed policy and programmes on peace building and conflict prevention.

Kenya has taken measures to combat trafficking in women and children:

Kenya has been noted as a source, transit, and destination country for trafficking of men, women, and children. Trafficked Kenyan adults are exploited in involuntary domestic servitude and forced prostitution. Kenyan men, women, and children migrate to the Middle East, other East African nations, and Europe under different circumstances in search of employment, where they are exploited in domestic servitude, massage parlors and brothels, and forced manual labor, including in the construction industry (USDS, 2010).

**Legislation:** Enactment of Counter-Trafficking in Persons Act 2010. The constitution of Kenya also guarantees fundamental rights and freedoms for all, men and women alike as provided for in Article 27(3) and Article 53(d).

**National Steering Committee on Counter Trafficking in Persons:** The Government established the National Steering Committee on Counter Trafficking in Persons in 2012 to monitor the implementation of the Act. A National Plan of Action (NPA) has been developed as a measure to respond to the situation.

Cases of women being offered jobs abroad and instead ending up as slaves (including sexual slaves) have been in the increase in Kenya. The countries into which women are mostly trafficked to are in the Middle East. Women are often lured into these countries with the promises of well-paying jobs and a better quality of life. However, they are often subjected to difficult working conditions (often, not the types of jobs that they were promised), lack of freedom (their passports and other identification documents are often confiscated); lack of adequate pay for the work that they are expected to do. As a result of these problems, the Kenyan Government, in June 2012, banned Kenyans from travelling to the Middle East region, if the purpose of the travel was to take up work as domestic workers.

**Challenge:** The trafficking of women often happens through employment bureaus operating in Kenya which scout for women and offer them employment abroad. Most Kenyan migrants are employed as domestic workers and are vulnerable to abuse, exploitation, violence, rape and even murder. In response to the alarming number of cases involving the mistreatment of Kenyans abroad, on 29 September 2014 the Government revoked the licenses of 930 agencies recruiting Kenyans to work in the Middle East.

## **29. What actions has your country taken in the last five years to eliminate discrimination against and violations of the rights of the girl child?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

There exist a number of policies, legislative reforms, plans and programs in Kenya targeting the girl-child. However, gender disparities still exist in the legal, social, economic realms, access to and control of resources, opportunities and benefits.

In order to address discrimination against the girl –child the Government has put the following measures in place:

**Legislative Framework:** Kenya has a strong legislative framework on the rights of the child which domesticates and incorporates the provisions of the United Nations Convention of the Rights of Children (UN CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC). Kenya has therefore fully integrated the Children’s Convention into the domestic legislation and policy that is currently being implemented.

The Constitution is specific to children, this marks a great progress for the country as children’s rights were not mentioned in the previous constitution. Chapter four of the Constitution of Kenya - the Bill of Rights states that “the State shall enact and implement legislation to fulfill its international obligations in respect of human rights and fundamental freedoms”. The Constitution Article 53 (1) (b) gives every child the right to free and compulsory basic education.

The Children Act established statutory structures, including the National Council for Children’s Services (NCCS), whose mandate is to exercise general supervision and control over the planning, financing and coordination of child rights and welfare activities and to advise the Government on all aspects thereof. In 2011, the council developed the Children’s Protection System Framework and prepared the draft of the National Children Policy (NCP).

#### **Eliminate negative cultural attitudes and practices against girls.**

The Constitution out-laws harmful traditional practices. The government has taken concrete measures to eliminate harmful traditional practices such as Female Genital Mutilation (FGM) and early marriage which affect the girl child negatively. There is also a notable reduction in the prevalence of FGM which affects the girl child’s educational and other life attainments after enactment of the Prohibition Against FGM Act, 2011.

The Children Act established statutory structures, including the National Council for Children’s Services (NCCS), whose mandate is to exercise general supervision and control over the planning, financing and coordination of child rights and welfare activities and to advise the Government on all aspects thereof.

#### **Promote and protect the rights of the girl-child and increase awareness of her needs and potential**

Vision 2030 identifies gender concerns and thus seeks to prioritize equity in power and resource distribution between the sexes. With regard to girls, the Vision seeks to do this by improving access to opportunities, health services, education services, housing and justice particularly girls among the disadvantaged groups, persons with disabilities, people living in arid and semi-arid lands (ASA’S) etc., as well as minimizing vulnerabilities through prohibition of harmful cultural practices such as Female Genital Mutilation/Cutting (FGM/C), increasing school enrolment for girls and children from nomadic communities and poor rural and slum communities, attaining gender parity and fairness in the delivery of justice including up scaling training for people with disabilities and special needs.

Since 2013 the government has been setting aside funds for the provision of sanitary towels for girls in schools from poor and marginal areas. The Area Advisory Councils (AACs) under the

National Council for Children's Services (NCCS), have the responsibility to protect the rights and welfare of children in their jurisdictions, supervise and regulate planning, financing and coordination of children's welfare programmes, mobilize resources and facilitate funding, promote and create public awareness on child rights and child protection and facilitate partnership, linkages and networking.

### **Efforts to address discrimination against girls in education, skills development and training**

The Constitution of Kenya 2010 ushered a new era for child rights by making special provisions for children.

The education policy prohibits dismissal of girls from school on the basis of pregnancy and prohibits repetition of classes by students on the basis of performance. Other efforts include development of specific policies and programmes to address specific rights, such as, the provision of free and compulsory primary education, and the Cash Transfer Programme to assist orphans and vulnerable children among others.

### **Health:**

The Constitution Article 53 (1) (c) guarantees every child the right to basic nutrition, shelter and health care.

The Basic Education Amendment Act, 2016 establishes a sanitary Towels Programme which places the responsibility of providing free, sufficient and quality sanitary towels on the government to reduce the number of girls missing school during their menstrual cycle or eventually dropping out of school.

The National adolescent Sexual Reproductive Health Policy 2015 also allows for girls to access correct information regarding their sexuality and the enhanced provision of high quality post-abortion care services to adolescents. The policy also supports sensitization and implementation of the Education Re-entry Declaration and a social support system for adolescents. It encourages political leaders, planners and community leaders to enforce laws and policies to prohibit marriage of girls below 18 years; strengthen and scale up social protection for vulnerable adolescent girls to delay sexual debut as well as improve mental health and educational outcomes. These initiatives enhance the quality of life for the girls.

## **Environmental conservation, protection and rehabilitation**

### **Critical areas of concern: I. Human rights of women K. Women and the environment L. The girl child**

#### **30. What actions has your country taken in the last five years to integrate gender perspectives and concerns into environmental policies?**

The Government of Kenya has taken the following actions:

- Supported women's participation and leadership, including those affected by disasters, in disaster risk reduction, climate resilience and mitigation policies, programmes and projects;
- Promoted access of women in situations of disaster to services such as relief food and other basic commodities and health services.
- Introduced and implemented gender-responsive laws and policies related to disaster risk reduction, climate resilience and mitigation.

Please see no. 4 in section one for specifics on policies and programmes on disaster risk reduction, climate resilience and mitigation.

**31. What actions has your country taken in the last five years to integrate gender perspectives into policies and programmes for disaster risk reduction, climate resilience and mitigation?**

*Please provide details of up to three concrete examples of measures taken, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups of women and girls, such as those listed in question 3. Where relevant and possible, please provide data to support your responses.*

The government of Kenya has taken a number of measures to support women's participation and leadership in environmental and natural resource management and governance; raised awareness about gender-specific environmental and health hazards including those related to consumer products, technologies, and industrial pollution; enhanced women's access to sustainable time- and labor saving infrastructure such as access to clean water and energy, and climate-smart agricultural technology; and taken steps to ensure that women benefit equally from decent jobs in the green economy. As indicated elsewhere in relation to women and poverty, women and the economy, the government has taken measures to ensure increased women's access to and control over land and other natural resources, which is an important step related to their participation in decision-making on the environment and as it relates to matters of agricultural productivity and food security.

In the rural areas, electricity is not used for cooking and does not significantly substitute for polluting and time-consuming traditional cooking technologies and fuel sources. Particularly for women and children, there are significant potential health gains, from switching from fuel wood and charcoal to cleaner forms of energy such as gas, electricity and solar energy. The Government of Kenya is expected to roll out an LPG enhancement project that will help in promoting LPG use in Kenya and in rural areas. This will be a safe, affordable, accessible and environmentally friendly cooking fuel that will be better for women as compared to options currently available in the rural areas.

**Water, Sanitation and Hygiene (WASH)**

The provision of water supply, sanitation and wastewater services generates substantial benefits for public health, the economy and the environment. Ensuring that women and girls have an equal role in the design, management and monitoring of the WASH ecosystem can be a strategic gender-mainstreaming practice that empowers women and girls while improving WASH outcomes<sup>37</sup>. WASH and gender equality are represented in Sustainable Development Goals (SDGs) 6 and 5, respectively, and also contribute to the achievement of other sectoral goals across the development agenda.

Kenya Environmental Sanitation and Hygiene Strategic Framework (KESSF) 2016-2020 which is informed by the need to provide universal access to improved sanitation leading to improved quality of life of the people of Kenya as envisaged in the Constitution of Kenya 2010, and the Kenya Vision 2030. The KESSF is further guided by the Kenya Health Policy 2012- 2030 which targets to attain the highest level of health commensurate with that of a middle- income economy.

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<sup>37</sup> [www.unicef.org](http://www.unicef.org)

## **Challenges:**

Preventable diseases remain a serious issue. Malaria is one of the country's biggest problems, with 6.7 million new cases and 4,000 deaths each year, particularly among women and children under five. Poor sanitation and a lack of affordable medications in rural communities further contribute to the spread of disease, and many women and children do not have access to even basic healthcare in Kenya<sup>38</sup>.

## **Energy Sector**

### **Enabling Legal and Policy Framework**

Energy is one of the infrastructure enablers for sustained economic growth, development and poverty reduction. The sector is one of the enablers and is instrumental in the realization of the Sustainable Development Goals (SDG 7) on reliable, clean and affordable energy for all. The Energy sector implements the following programmes: power generation, transmission and distribution of electricity, as well as alternative energy technologies.

Kenya boasts a continually evolving low-carbon, affordable, and diverse energy mix. Generation capacity stands at a comfortable 2,670 megawatts (MW), with peak demand of 1,841 MW. As of June 2018, renewable energy accounts for 65 % of total installed capacity and 78 % of total electricity generation (7.9 terawatt-hours). Geothermal represents more than 40% of electricity generated, making Kenya one of the global leaders in the use of this low-cost renewable energy resource (KNES 2018) Kenya's access rate has risen from 32% in 2014 to 75% in 2018 (both from grid and off-grid options). This achievement was attained through interventions such as the Last Mile Connectivity Programme, electrification of all public primary schools, Global Partnership of Output Based Aid (GPOBA) and the Rural Electrification Programme, among others (KNES 2018).

The Government of Kenya has set the target of achieving universal access to energy by the year 2022. In this regard, the government has put adequate legislative and policy framework in place to accelerate achievement of this goal.

### **The Energy Act (2019):**

It seeks to consolidate laws relating to energy and provide for National and County Government functions in relation to energy. Through the Act, the Government is obligated to provide affordable energy services in all areas of Kenya by ensuring all households are connected to electricity by 2030. The Act promotes inclusivity and diversity in provision of energy services to all Kenyans by ensuring all households are connected to electricity by 2030. It requires that the national government in collaboration with county governments to develop county energy plans to promote sustainable energy services

Other notable legislations include: Electricity Power Act No. 11 of 1997; Sessional Paper No. 4 of 2004 on Energy; Energy Act No. 12 of 2006, The Kenya Electricity Access Investment Programme Prospectus: 2009 – 2014; Least-Cost Power Development Program (LCPDP) 2009 – 2029; Rural Electrification Master Plan (REMP); Renewable Energy Feed in Tariff (FiT); The Energy (Solar Water Heating) Regulations, 2010, Strategy for the Development of the Bio-Diesel Industry in Kenya (2008-2012).

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<sup>38</sup> Health, Population and Nutrition | Kenya | U.S. Agency for International Development", 2018 <sup>44</sup> MINISTRY OF HEALTH, Kenya, 2018

## **The National Energy Policy (2019)**

The overall objective of the Policy is to ensure affordable, competitive, sustainable and reliable supply of energy products to meet national and county development needs at least cost, while protecting and conserving the environment.

The Policy promotes investments in Renewable Energy (RE) such as solar, wind, biomass, geothermal, hydropower and ocean resources, as well as bio-fuels and hydrogen. Renewable energy is considered to have the potential to enhance energy security and reliability, generate income and create employment. Further, it can contribute immensely to climate change mitigation as it has minimal adverse effects on the environment.

The policy sheds light on gender imbalances among personnel in energy institutions. It recommends gender inclusivity in all appointments in the sector. It also states that there is inadequate public awareness on the adverse health effects of use of wood-fuel and kerosene on women and children and inability to access and afford modern and clean energy. There is therefore need, to undertake measures to make clean and modern energy services affordable and accessible. The Policy sets out as its strategy mainstreaming of gender, youth and persons with special needs issues in energy policy formulation, planning, production, distribution and use.

**Rural Investment program:** 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 are viewed as financial unviable and that are unattractive to the traditional commercial-based service providers. In accordance with devolution and with propoor 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.

**Kenya Environmental Sanitation and Hygiene Policy:** KESH Policy 2016-2030 which aims at increasing the proportion of the population with access to improved sanitation to 100% by 2030 and ensuring progressive fulfilment of every Kenyan's right to highest attainable standards of health and sanitation as guaranteed under Article 43 of Constitution. The policy takes full cognisance of the devolution of most sanitation functions and services to the 47 County Governments vide the Fourth Schedule of the Constitution of Kenya 2010. Ultimately, it is the goal of the policy to ensure better health, dignity, social well-being and quality of life for all the people of Kenya including those living in the rural areas.

**Last Mile Connectivity Project-** Launched in 2015, to improve electricity access to an additional 1.5 million Kenyans and was fund 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 the clean renewable energy so provided.

## **Kenya National Electrification strategy**

It is the roadmap to achieving universal access to electricity as a key plank of powering the country's development agenda. Its principal objective is to achieve electricity access for all households and businesses in Kenya over the shortest timetable and at acceptable quality of service. With the help of a geospatial planning tool, KNES identified the least cost technology options (grid extension, grid intensification, mini-grids, and standalone systems) and the associated investments required for reaching the remaining population with affordable and reliable

electricity by 2022. It focuses at identifying off-grid solutions that can meet the energy needs of lower income remote population centers and housing clusters at reasonable costs and within the government's timeframe (KNES, 2018).

Rural Electrification Program (REP) - The program targets reaching 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 per cent.

### **Sustainable Energy for All (SE4ALL): Kenya Action Agenda (2016-2022)**

The Kenya Action Agenda (AA) presents an energy sector wide long-term vision for the period 2015-2030. It outlines how Kenya will achieve her Sustainable energy for all of 100% universal access to modern energy services, increase the rate of energy efficiency and increase to 80% the share of renewable energy in her energy mix by 2030. The three goals of the Initiative are to:

- To mobilize all stakeholders to take concrete actions towards ensuring universal access to modern energy services;
- Double the global rate of improvement in energy efficiency
- Double the share of renewable energy in the global energy mix, within the UN timeframe of 2030.

Gender perspectives have been integrated into the Kenya Action Agenda and it recognises the importance of gender mainstreaming in gender policies and programmes to ensure that projects achieve greater livelihoods enhancement and contribute to women's economic empowerment and increased participation in decision making. It recommends gender considerations in programmes, projects and institutional structures and gives emphasis on investment in gender disaggregated data.

### **Gender Policy in Energy (2019)**

The broad objective of this policy is to guide the mainstreaming of gender in institutions, policies and programs in the MoE, County Governments and amongst the stakeholders.

#### **It specifically seeks:**

- i. To strengthen institutional frameworks for gender equality in energy at both National and County levels
- ii. To ensure compliance with the Constitution on Gender
- iii. To increase awareness on gender in the Energy Sector
- iv. To integrate gender in programs, monitoring & evaluation
- v. To promote clean cooking solutions and environmental sustainability.

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

It is worth noting that many Kenyans still do not have access to modern energy. Over 80% of Kenyans rely on the traditional use of biomass as the primary source of energy for cooking and heating (with firewood contributing 68.7% and charcoal 13.3%). Fossil fuels and electricity provide 22% and 9% respectively, geothermal represents more than 40 % of electricity generated, while other sources provide 1% of the overall energy requirements (Kenya Action Plan, 2017). It is therefore evident that better access to electricity by households and communities opens new opportunities for women and men to generate income. Energy investments may also offer new employment opportunities and skills. The type of opportunities for men and women will differ and require gender responsiveness.

It is in view of the above that the Government, through the Kenya Off-Grid Solar Access Project (KOSAP), seeks to close the access gap by providing electricity to remote, low density, and traditionally underserved areas of the country. The project directly promotes the government's objectives by supporting the use of solar technology to drive electrification of households, enterprises, community facilities and water pumps as well as installation of clean cooking solutions in homesteads. The project targets to provide 1.3 Million households, 1030 community facilities and 620 boreholes in the wider Northern parts of Kenya with electricity (KNES 2018).

**LPG Uptake Promotion** - Initiated under the socioeconomic program within the Ministry of Energy, National Oil Cooperation Kenya (NOCK) with a view to distributing LPG gas cylinders to rural households at a discounted rate. 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 harmonize integration of agriculture and energy to reducing the burden of collecting firewood on women mitigating against unpaid care work, offer an opportunity for employment creation in the biogas construction sector for women in rural areas. So far, the program boasts of reduction of CO<sub>2</sub> equivalent emissions (73,623 tonnes), savings on fuel wood (37,388 tonnes), savings on charcoal (13,460 tonnes), time-use (approximately 15 to 18 million, with a significant time saved for women and children per household 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), 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, in addition to other direct and indirect employment in extension, promotion, credit, microfinance, etc., 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.

#### **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>39</sup>.

**D-lights:** Provides 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

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<sup>39</sup> <http://solar.m-kopa.com/about/our-technology/>

technology, more girls and women in the rural areas stand to benefit from the clean, safe and reliable sources of energy so provided<sup>40</sup>.

**Jikokoa:** 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.

**The National Open Defecation Free (ODF) Kenya 2020 Campaign Framework:** This framework takes into account the reality that sanitation is a devolved function in the new Constitution. Therefore, at County and local levels, the Campaign entails mapping and securing commitment from partners and supporting them in developing work-plans and securing resources for attaining ODF Kenya by 2020. It is therefore an 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:** CLTS was introduced in Kenya by Plan Kenya in May 2007. In 2010, MOPHS in partnership with UNICEF and SNV embarked on a pilot in six districts in Nyanza and Western Kenya. A team of national trainers was trained who then trained the district teams. According to a MOH-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>41</sup>. The 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 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 (WASH), and enable

public health officials in rural areas facilitate rapid acceleration of the Open Defecation Free (ODF) campaign. It could aid Community-Led Total Sanitation (CLTS) implementation processes and processing of the data to generate real-time reports for quick decision-making.

## Challenges

The key challenges to achieving universal access to electricity in Kenya include:

- High connection costs
- High costs of supplying electricity to rural and peri-urban households.

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<sup>40</sup> [www.dlight.com](http://www.dlight.com)

<sup>41</sup> GoK 2015. Available at <http://www.communityledtotalsanitation.org/country/kenya>

- Lack of appropriate incentives to attract private investors.
- Inappropriate technical standards given the nature of settlements.
- Difficulties and delays in obtaining wayleaves consents and rights of way and demands for high compensation.
- Weak implementation capacity.
- Non-prioritisation on energy projects in the CIDPs: In the 2013-2017 County Integrated Development Plans (CIDPs), projects within the energy sector were not well captured in some counties. This could be attributed to many factors including scarcity of resources, inadequate planning and a weak national legislative framework to guide counties on development of energy plans and policies. Therefore, the involvement of women in the energy planning and policy making was minimal.

## **Petroleum**

Petroleum is imported in both crude and refined forms and accounts for 25% of the national import bill (KNES 2018). Over 80% of Kenyans rely on the traditional use of biomass as the primary source of energy for cooking and heating – with firewood contributing 68.7% and charcoal 13.3%. About 87% of the rural population uses firewood for cooking and 82% of the urban population uses charcoal for cooking. Petroleum is imported in both crude and refined forms and accounts for 25% of the national import bill (KNES 2018).

The petroleum industry is broadly divided into three categories namely: upstream (exploration, development and production), mid-stream (storage, refining and transportation) and down-stream (supply and distribution). As at 2018, petroleum accounted for about 22% of the total primary energy consumed in Kenya, while coal provided about 1% of the primary energy consumed, mainly by cement manufacturers.

### **The National Petroleum Policy (2019)**

The overall objective of the petroleum policy is to enhance commercialization of discoveries, develop the requisite skills and infrastructure for exploration, development and production of oil and gas and improve access to competitive, reliable and secure supply of petroleum products while protecting and conserving the environment. The Policy provides a guideline to manage petroleum resources in a sustainable manner that guarantees optimal benefits for present and future generations.

### **Challenges**

1. Inadequate awareness and sensitization of the benefits accruing from sustainable management of petroleum resources.
2. Low uptake of technologies, appliances and standards that promote efficiency and sustainability.
3. Losses during storage, transportation and delivery of petroleum products.
4. Low awareness of the existence of credit facilities such as green energy facility grants and loans and carbon credit from the Clean Development Mechanism (CDM).
5. Lack of a clear and engendered framework for the sharing of benefits of energy resources: According to the Petroleum Bill of 2015, the division of revenue between the National Government, County Government and Community is defined as follows; 25 per cent goes to the County Government and is managed by the County through the finance management processes outlined in the PFM Act. 5 per cent of revenue goes to the local community and is payable to a trust fund managed by a board of trustees established by the country government. These

resources may not trickle down to women in a patriarchal society where men are the gatekeepers of community assets and other resources held in trust.

### **Opportunities**

Energy: -There is room for further interaction with development partners in order to ensure that women are empowered and informed so as to participate in policy making, both at national and county levels of governance. Other opportunities include promoting productive use of energy to increase income levels as well as employment opportunities for rural women particularly in agricultural value chains enterprises.

There is need for gender sensitization for rural women in policy formulation and energy, and equal representation of women in decision making bodies to ensure that the perspectives of women are included.

There is need to promote the involvement of women in income-generating activities through the energy value chain to empower them economically and to increase their bargaining power in household decision-making.

## SECTION THREE: NATIONAL INSTITUTIONS AND PROCESSES

### 32. What is your country's current national machinery for gender equality and the empowerment of women? Please name it and describe its location within Government.

Kenya's current national machinery for gender equality and the empowerment of women and its location within Government:

Kenya's comprises two tier Governments (National and 47 county governments) that are distinctive and interdependent. The Government is structured through the constitution with administrative and policy making powers being distributed to its three arms namely Executive, Legislature and Judiciary.

#### 28. National Gender Machinery and location in Government

**The State Department for Gender:** It is domiciled in the Ministry of Public Service, Youth and Gender Affairs under the Presidency with the overall mandate of steering the country's direction in the implementation of the Constitution and Kenya's international obligations on matters of gender equality and empowerment of women and girls. The Ministry is headed by a Cabinet Secretary (Minister) while the Department is led by a Principal Secretary for Gender Affairs to drive this process. The Department is fully fledged, and its functions as prescribed in the Presidential Executive Order of June 2018 include "Gender policy management, Special programmes for women empowerment, Gender mainstreaming in Ministries/ Department /Agencies, Domestication of International Treaties/Conventions on Gender and Policy and programmes on the reduction of gender-based violence.<sup>1</sup>"

Under this structure, Gender Officers have been deployed to all Ministries to provide technical guidance on gender mainstreaming which include planning, policy making and coordination, facilitation, implementation, regulation and monitoring. At the devolved level, Officers at the County and sub-county levels have been assigned work on coordinating gender mainstreaming and women's empowerment through the field services office based within the Department for Gender Affairs.

The Department also oversees key public agencies including the Women's Fund established under the Women Enterprise Act, The Anti-FGM Board established under the Prohibition of FGM Act, The Uwezo Fund, Gender violence protection centres and the National Government Affirmative Action Fund.

The State Department for Gender works with other institutional Commissions established pursuant to Article 59 of the Constitution: The National Gender and Equalities Commission (NGEC), the Kenya National Human Rights Commission (KNHCR), and the Commission on Administrative Justice (CAJ or the office of the ombudsman).

#### **The National Gender and Equality Commission (NGEC):**

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established pursuant to Article 59 (4) & (5) of the Constitution of Kenya, 2010. It is operationalized by Section 8 of the National Gender and Equality Commission Act, 2011:

To promote gender equality and freedom from discrimination in accordance with Article 27 of the Constitution; Monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions; Act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and

freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children; Co-ordinate and facilitate mainstreaming of issues of gender, persons with disabilities and other marginalized groups in national development and to advise the Government on all aspects thereof; Monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution; Investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned; Work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws; Co-ordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination; Conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution; Receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination.

In line its functions, the NGECC works with the other Human Rights entities and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaboration in the protection and promotion of rights related to the principle of equality and freedom from discrimination.

**33. Is the head of the national machinery a member of the institutional process for SDG implementation (e.g. inter-ministerial coordinating office, commission or committees)?**

**YES/NO**

There is a national process for SDG implementation

*If YES, please provide further information*

Yes. Kenya as a member of the UN participated in the SDGs processes at national, regional and global levels including leading global negotiations and the adoption of the Agenda. Since adoption of the Agenda 2030, the Kenya Government and its non-state actors and development partners have committed to the implementation, monitoring and evaluation of the Agenda. Specific steps have been taken such as the adoption of a Cabinet Memorandum which directs all Ministries, Agencies, and Departments to mainstream the SDGs in all policy, planning and budgeting processes. Implementation of the Sustainable Development Goals is coordinated by the State Department for Planning. An inter-ministerial committee was established for this purpose and the National Gender Machinery through the State Department for Gender is a member through its leadership. Among the measures undertaken on SDGs, the Gender Affairs Department undertook a baseline survey as a foundation for Kenya to set realistic targets, have objective means of verifying progress and assess progress towards achieving the SDGs.

It was found necessary to establish the extent to which the SDGs converge with Kenya's own development objectives as set out in the Kenya Vision 2030 and therefore identify goals relevant to Kenya's development context. This was done by mapping each of the 17 goals with Vision 2030 within the second MTP. The process led to identification of 128 indicators of which 33 were identified as necessary for reporting on gender equality and empowerment of women and girls.

At the National level a framework to guide on reporting of the SDGs exists under the Government planning Department. Additionally, under article 132 of Kenya’s Constitution, His Excellency the President of the Republic of Kenya tables a report in parliament on fulfillment of Kenya’s International and regional obligations including implementation of the SDGs and BPFA.

**34. Are there formal mechanisms in place for different stakeholders to participate in the implementation and monitoring of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development?**

YES/NO

**If YES,**

**a) Which of the following stakeholders participate formally in national coordination mechanisms established to contribute to the implementation of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development?**

**Beijing Declaration and PfA**

- ✓  Civil society organizations
- ✓  Academia and think tanks
- ✓  Faith-based organizations
- ✓  Parliaments/parliamentary committees
- ✓  Private sector
- ✓  United Nations system
- ✓  Other actors, please specify – Child rights organizations
- ✓  Women’s rights organizations

**2030 Agenda for Sustainable Development**

- ✓  Civil society organizations
- ✓  Academia and think tanks
- ✓  Faith-based organizations
- ✓  Parliaments/parliamentary committees
- ✓  Private sector
- ✓  United Nations system
- Other actors, please specify.....
- ✓  Women’s rights organizations

Kenya’s Constitution requires public participation on matters that are of National interest to the Country. Given that Kenya is party to the BPFA and the 2030 Agenda for Sustainable Development which are recognized in the Constitution as international frameworks, participation of other stakeholder in implementation and monitoring of these frameworks is important. Under the Treaty Making and Domestication Act, it is a requirement for the creation of a formal coordinating mechanism on implementation of the same. Within the Ministry of Foreign Affairs, a formal structure in the form of an Inter-ministerial committee is in place that prepares the President’s Reports on Fulfillment of Kenya’s obligations on all treaties and conventions including the BPFA and the SDGs. The annual report is tabled by the President in parliament as required in article 132 of the Constitution. Additionally the State Department for Gender convenes a Multi-sectoral Committee annually to prepare reports on the BPFA implementation in line with the priority theme of the Commission on the Status of Women each year.

**a) Stakeholders formally participating in national coordination mechanisms established to contribute to the implementation of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development**

The Government recognizes the importance strategic partners and other stakeholders in the national mechanisms and other structure set up towards implementation of the BPfA. In this regard, the following have been engaged in this process: Parliament including parliamentary committee, County Governments, civil society organizations, women’s organization, academia and other experts, Faith Based organizations, private Sector, Youth-led Organizations, Male-led Organizations and other special groups such as persons with disabilities as well as development partners including UN agencies.

For the SDGs, the Government recognizes that the successful implementation of the SDGs hinges upon robust institutional framework with distinct but complementary roles, responsibilities and accountability mechanisms. In this regard, a formal Institutional framework was established through Executive Order of 5<sup>th</sup> May, 2016 that mandates the Ministry in-charge of planning to coordinate implementation of the SDGs in the country. Membership comprises National Government Ministries, Department and Agencies, Civil Society Organisations, County Government, Private Sector, Civil Society Organizations, Development Partners and UN Agencies

**b) Do you have mechanisms in place to ensure that women and girls from marginalized groups can participate and that their concerns are reflected in these processes?**

**YES/NO**

*Please provide further details about the mechanisms used.*

Yes. The Government of Kenya works in collaboration with various civil society organizations including women’s rights organizations, youth organizations, media and gender organizations, organizations with a focus on disability rights, indigenous women, the private sector, UN agencies and development partners to ensure various categories of women and girls from marginalized groups participate in public process, are informed and their concerns are captured in policies, laws and programmes.

**c) Please describe how stakeholders have contributed to the preparation of the present national report.**

Government recognizes the importance of broad stakeholder consultation and participation in the preparation of the Beijing + 25 report. This engagement and the report submitted demonstrate strong and aligned partnerships between government, the private sector and CSOs are critical in implementation and reporting on progress of the BPfA and related frameworks.

The process of developing the report was participatory and inclusive. A Government led National Multi-Sectoral Steering Committee of state and non-state actors spearheaded by the State Department for Gender was formally appointed to oversee the process. The questionnaire in the guidance note was circulated to the stakeholders and feedback given was used to compile the report. The report was also informed by previous reports that Kenya has prepared in reporting on gender normative frameworks that have also been written through a highly consultative process.

**35. Is gender equality and the empowerment of all women and girls included as a key priority in the national plan/strategy for SDG implementation?**

- ✓  Yes
- No
- There is no national plan/strategy for SDG implementation

*Please explain.*

The government of Kenya recognizes that gender equality and women's empowerment are critical in effectively combating poverty, hunger and disease in the country and also a way to stimulate development and achievement of the other SDGs. Gender equality and empowerment of women is therefore a priority in Kenya's plans for SDGs implementation, reporting and monitoring. This is also in line with Kenya's focus on economic growth and development as set through Kenya's Vision 2030 and as has been demonstrated through the past Medium Plans of the Vision. The MTP III for the period 2018-2022 which is further simplified in a 5-year development plan has incorporated the relevant gender indicators and targets that are in the Sustainable Development Goals that are in line with Kenya's gender priorities. These have been further reinforced by the current Government's "The Big Four" that among other things seeks to advance the status of women and girls for the attainment of gender equality and women's empowerment.

## SECTION FOUR: DATA AND STATISTICS

### 36. What are the top three areas in which your country has made most progress over the past five years when it comes to gender statistics at the national level?

Kenya is among the twelve countries that are implementing the UN Women Programme Initiative of Making Every Woman and Girl Count (MEWGC). Further, Kenya has an interagency coordination mechanism on gender statistics that is co-chaired by the State Department for Gender and the Kenya National Bureau of Statistics.

Through the programme, a national gender statistics assessment was undertaken with the following objectives: conduct a detailed review of gender statistics in the national statistical system, including documenting the extent to which gender equality is mainstreamed into the national statistical system; identify gender data gaps to monitor the gender-related SDGs indicators and other national gender-related priorities, and assess the extent to which the data produced are made available and used to inform policies.

Kenya has conducted new surveys to produce national baseline information on specialized topics such as gender-based violence, focus on situation of people living with disability and plans on conducting time-use surveys as a priority in the next five years.

Capacity building on gender statistics has been carried out for all Government agencies. This has largely contributed to the production of knowledge products on gender statistics which include user-friendly reports, policy briefs and research papers.

Gender statistics have also informed enactment of legislation such as the Prevention of Domestic Violence Act, 2015 among others.

### 37. Out of the following which are your country's top three priorities for strengthening national gender statistics over the next five years?

Kenya identifies the following priorities as key to strengthening national gender statistics:

- Strengthen the policy and financial environment to enable gender-responsive national adaptation and effective monitoring of the SDGs;
- Ensure quality, comparable and regular gender statistics are available to address national data gaps and meet policy and reporting commitments under the SDGs and Beijing Platform for Action and related normative frameworks;
- Improve the use of gender statistics by different players to inform advocacy, research, policies and programmes.

### 38. Have you defined a national set of indicators for monitoring progress on the SDGs?

- ✓  Yes  
 No

**If YES, how many indicators does it include and how many of those are genderspecific?**

**If YES, how many of the gender-specific indicators are additional country indicators (i.e., not part of the global SDG monitoring and indicator framework)?**

*Please provide the indicators in an annex*

## Gender specific indicators prioritized in Kenya

Kenya undertook a mapping of the 17 SDGs with Country's Vision 2030 within the second MTP. The process led to identification of 128 indicators of which 34 were identified as necessary for reporting on gender equality and empowerment of women and girls. This process was followed by an assessment of the indicators to identify which ones have data sources and where the gaps are. The following number of indicators (Detailed in the annex) were identified from the 17 Goals:

<b>GOAL 1</b>	-	<b>(6 Out of 12 Indicators)</b>
<b>GOAL 2</b>	-	<b>(1 Out of 14 Indicators)</b>
<b>GOAL 3</b>	-	<b>(6 Out of 26 Indicators)</b>
<b>GOAL 4</b>	-	<b>(8 Out of 11 Indicators)</b>
<b>GOAL 5</b>	-	<b>(14 Out of 14 Indicators)</b>
<b>GOAL 6</b>	-	<b>(0 Out of 11 Indicators)</b>
<b>GOAL 7</b>	-	<b>(0 Out of 6 Indicators)</b>
<b>GOAL 8</b>	-	<b>(7 Out of 17 Indicators)</b>
<b>GOAL 9</b>	-	<b>(0 Out of 12 Indicators)</b>
<b>GOAL 10</b>	-	<b>(1 Out of 11 Indicators)</b>
<b>GOAL 11</b>	-	<b>(3 Out of 15 Indicators)</b>
<b>GOAL 12</b>	-	<b>(0 Out of 13 Indicators)</b>
<b>GOAL 13</b>	-	<b>(1 Out of 7 Indicators)</b>
<b>GOAL 14</b>	-	<b>(0 Out of 10 Indicators)</b>
<b>GOAL 15</b>	-	<b>(0 Out of 14 Indicators)</b>
<b>GOAL 16</b>	-	<b>(6 Out of 23 Indicators)</b>
<b>GOAL 17</b>	-	<b>(0 out of 25 Indicators)</b>

### 39. Has data collection and compilation on SDG 5 indicators and on gender-specific indicators under other SDGs begun?

- ✓  Yes  
 No

If YES, please describe which indicators have been prioritized

If NO, explain the main challenges for collecting and compiling data on these indicators

The indicators prioritized are as indicated in no. 38 above.

### 40. Which of the following disaggregations is routinely provided by major surveys in your country?

- ✓  Geographic location  
✓  Income  
✓  sex

.All the above are routinely provided by major surveys in the country:

## CONCLUSION

Kenya has made incredible strides in efforts to accelerate gender equality and women's empowerment. The main focus of this report is achievements, priorities, challenges and opportunities in the last five years of implementation of the Beijing Declaration and Platform for Action. As Kenya along with the rest of the global community, focus on the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the 23rd special session of the General Assembly, the Government of Kenya remains steadfast in promoting the status of women and girls.

These commitments are well articulated in Kenya's development Blueprint, Vision 2030 whose timelines are aligned to the 2030 Agenda for Sustainable Development. It is implemented through successive five-year medium-term plans. The current MTP III and the Big Four Agenda (2018-2022) succeed the second medium term (MTP II) and builds on the key successes especially around legislative, policy frameworks and programmes on gender equality and women's empowerment. Kenya is set in its plans to grow its GDP and become a middle-income country, with the women and the girls at the heart of the development agenda.

Kenya's efforts to align gender specific indicators to the country's development plans and the priorities have the potential to accelerate the country's achievement of Sustainable Development Goals (SDGs), particularly those relating to poverty eradication (SDG 1); no hunger (SDG 2); ensuring healthy lives (Goal 3); quality education (SDG 4); achieving gender equality and empowering all women and girls (Goal 5); management of water and sanitation (Goal 6); affordable and clean energy (SDG 7); decent work (Goal 8); and industry, innovation and sustainable infrastructure, among others.

The report points to the important convergence of the moment; the review and appraisal of twenty-five years after the Beijing Declaration and the Platform for Action; five years after the adoption of the 2030 Agenda on sustainable development and twenty-five years after the

UN Resolution 1325; once again refocusing gender equality and women's empowerment to the intersectionality of gender, peace and development.

The Government of Kenya has:

- Introduced and strengthened legislation, policies and programmes on gender equality and women's empowerment;
- Ensured gender responsive budgetary allocation for implementation specific policies and programmes in alignment with Kenya's development plan and in alignment to the SDGs;
- Set in motion constitutionally supported institutional mechanisms and machinery to accelerate gender equality and women's empowerment;
- Introduced key programmes to ensure girls, women with disabilities, young women, women living with HIV and AIDS among other marginalized groups are not left behind in Kenya's development;
- Ensured coordinated and inter-agency responses to the challenges and setbacks to gender equality and women's empowerment.
- New emerging threats: Prevention and countering violent extremism and the efforts undertaken by the Government of Kenya to have a policy in place (NCTC) that has a

specific chapter on gender. Also commendable are the efforts made by several counties to have gender-responsive Countering Violent Extremism policies enacted and implemented.

While the achievements and priorities are important successes to celebrate; patriarchy and negative gender norms indicate the need for more work to address the challenges. Kenya will leverage on the existing opportunities and explore other strategies to transform gender norms, attitudes, beliefs and practices that continue to hinder the realization of gender equality in the social, economic and political spheres.

The concerted efforts by the Government of Kenya to ensure financing for gender equality and programmes that ensure financial inclusion of women have transformed women's and girls' lives. However, Kenya's efforts could be accelerated further with an increase in resources (financial and human) to achieve the SDG agenda and the Platform for Action.

Youth dividend: Kenya has invested in youth-centered programmes including the Uwezo Fund, Youth Fund, Access to Government Public Procurement Opportunities and the National youth Service that seek to empower youth and women economically. Such programmes need to be evaluated for their impact in addressing the specific needs of young women and adolescent girls in relation to job/employment creation, well-being and health and preventing unintended pregnancies leading to school drop outs. Kenya's focus on education, training including TVET is capitalizing on the demographic dividend, by investing in an educated future workforce.

The Government of Kenya will continue to strengthen partnership with civil society organizations including women's rights organizations, youth organizations, marginalized groups and those experiencing multiple and intersecting forms of discrimination, the private sector, UN agencies and development partners and work towards the common goal of creating an equitable society in the spirit of 2030 transformative agenda of leaving no one behind.

<sup>i</sup> Executive Order No. 1, May 2016

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## **Legislations**

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Marriage Act 2014

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The Marriage Act, 2014

The Kenya Citizenship and Immigration Act, 2011

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## Annex 1

Gender-related SDG Indicators*				Tier	
<b>Goal 1- (6 out of 12 indicators)</b>				III	No Tier as yet
1.1.1. Proportion of population below the international poverty line, by sex, age, employment status and geographical location (urban/rural)					
1.2.1 Proportion of population living below the national poverty line, by sex and age					
1.2.2 Proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions					
1.3.1 Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work-injury victims and the poor and the vulnerable					
1.4.2 Proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure				1	
1.b.1 Proportion of government recurrent and capital spending to sectors that disproportionately benefit women, the poor and vulnerable groups					
<b>GOAL 2 (1 out of 14)</b>					
2.3.2 Average income of small-scale food producers, by sex and indigenous status				1	
<b>GOAL 3 (6 out of 26)</b>					
3.1.1 Maternal mortality ratio					
3.1.2 Proportion of births attended by skilled health personnel					

3.3.1 Number of new HIV infections per 1,000 uninfected population, by sex, age and key populations				
3.7.1 Proportion of women of reproductive age (aged 15-49 years) who have their need for family planning satisfied with modern methods				
3.7.2 Adolescent birth rate (aged 10-14 years 15-19 years) per 1,000 women in that age group				
3.8.1 Coverage of essential health services (defined as the average coverage of essential services based on tracer interventions that include reproductive, maternal, newborn and child health, infectious diseases, noncommunicable diseases and service capacity and access, among the general and the most disadvantaged population)			1	
<b>GOAL 4 (8 out of 11)</b>				
4.1.1 Proportion of children and young people in grades 2/3; (b) at the end of primary; and (c) at the end of lower secondary achieving at least minimum proficiency level in (i) reading and mathematics, by sex			1	
4.2.1 Proportion of children under 5 years of age who are developmentally on track in health, learning and psychosocial wellbeing, by sex				
4.2.2 Participation rate in organized learning (in the year before the official primary entry age) by sex				
4.3.1 Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex				
4.5.1 Parity indices (female/male, rural/urban bottom/top wealth quintile and others such as disability status indigenous peoples and conflict affected, as data become available) for all education indicators on this list that can be disaggregated			1	

4.6.1 Percentage of population in a given age achieving at least a fixed level of proficiency in functional (a) literacy and (b) numeracy skills, by sex				
4.7.1 Extent to which (i) global citizenship education and (ii) education for sustainable development, including gender equality and human rights, are mainstreamed at all levels in: (a) national education policies, (b) curricula, (c) teacher education and (d) student assessment			1	
4.a.1 Proportion of schools with access to: (a) electricity; (b) the Internet for pedagogical purposes; (c) computers for pedagogical purposes; (d) adapted infrastructure and materials for students with disabilities; (e) basic drinking water; (f) single-sex basic sanitation facilities; and (g) basic handwashing facilities (as per the WASH indicator definitions)				
<b>GOAL 5 (14 out of 14)</b>				
5.1.1 Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex			1	
5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age				
5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence				
5.3.1 Proportion of women aged 20-24 years who were married or in a union before age 15 and before age 18				
5.3.2 Proportion of girls and women aged 15-49 years who have undergone female genital mutilation/cutting, by age				
5.4.1 Proportion of time spent on unpaid domestic and care work, by sex, age and location				

5.5.1 Proportion of seats held by women in national parliaments and local governments			1	
5.5.2 Proportion of women in managerial positions				
5.6.1 Proportion of women aged 15-49 years make their own informed decisions regarding sexual relations, contraceptive use reproductive health care□			1	
5.6.2 Number of countries with laws and regulations that guarantee women aged 15- 49 years access to sexual and reproductive health care, information and education			1	
5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure			1	
5.a.2 Proportion of countries where the framework (including customary law) guarantees women’s equal rights to land ownership and/or control			1	
5.b.1 Proportion of individuals who own a mobile telephone, by sex			1	
5.c.1 Proportion of countries with systems to and make public allocations for gender equality and women’s empowerment			1	
<b>GOAL 6 (0 out of 11)</b>				
<b>GOAL 7 (0 out of 6)</b>				
<b>GOAL 8 (7 out of 17)</b>				
8.3.1 Proportion of informal employment in non-agriculture employment, by sex□				
8.5.1 Average hourly earnings of female and employees, by occupation, age and persons w disabilities				
8.5.2 Unemployment rate, by sex, age and persons with disabilities				
8.7.1 Proportion and number of children aged 5–17 years engaged in child labour, by				

sex and age				
8.8.1 Frequency rates of fatal and nonfatal occupational injuries, by sex and migrant status				
8.8.2 Increase in national compliance of labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation, by sex and migrant status				
8.9.2 Number of jobs in tourism industries as proportion of total jobs and growth rate of jobs by sex				
<b>GOAL 9 (0 out of 12)</b>				
<b>GOAL 10 (1 out of 11)</b>				
10.2.1 Proportion of people living below 50 per cent of median income, by age, sex and persons with disabilities			1	
<b>GOAL 11 (3 out of 15)</b>				
11.2.1 Proportion of population that has convenient access to public transport, by sex, and persons with disabilities				
11.7.1 Average share of the built-up area of cities that is open space for public use for all, by sex, age and persons with disabilities				
11.7.2 Proportion of persons victim of physical sexual harassment, by sex, age, disability status and place of occurrence, in the previous 12 months			1	
<b>GOAL 12 (0 out of 13)</b>				
<b>GOAL 13 (1 out of 7)</b>				
13.b.1 Number of least developed countries and small island developing States that are receiving specialized support, and amount of support, including finance, technology and capacitybuilding, for mechanisms for raising capacities for effective climate change-				

related planning and management, including focusing on women, youth and local and marginalized communities				
<b>GOAL 14 (0 out of 10)</b>				
<b>GOAL 15 (0 out of 14)</b>				
<b>GOAL 16 (6 out of 23)</b>				
16.1.1 Number of victims of intentional homicide per 100,000 population, by sex and age				
16.1.2 Conflict-related deaths per 100,000 population, by sex, age and cause			1	
16.2.2 Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation				
16.2.3 Proportion of young women and men aged 18–29 years who experienced sexual violence by age 18				
16.7.1 Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and judiciary) compared to national distributions			1	
16.7.2 Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group			1	
<b>GOAL 17 (0 out of 25)</b>				
<b>Total</b>				<b>1</b>

\* Gender-related SDG indicators refers to 1. all indicators under SDG5 and 2. indicators across the framework that explicitly refer to sex, gender, women and girls and/or are specifically or largely targeted at women and girls. The criteria used in this compilation is narrow and meant to capture instances where the indicator is explicitly gender related. A less restrictive criteria, where all indicators that are relevant for women and girls and can be disaggregated by sex are included would yield a greater listing of gender-related indicators. The chapeau in the IAEG-SDG report states the following: *Sustainable Development Goal indicators should be disaggregated, where relevant, by income, sex, age, race, ethnicity, migratory status, disability and geographic location, or other characteristics, in accordance with the Fundamental Principles of Official Statistics.* This statement calls for all indicators where relevant to be disaggregated by sex and other characteristics, including those where sex is not specifically specified.

## Annex 2: Enrolment in different levels of Education

Table 1: ECDE pupil enrolment by sex (2014-2018)

Years	Boys	Girls	Total	% girls
2014	1,476,383	1,543,482	3,019,865	51.1%
2015	1,697,353	1,560,502	3,167,855	49.3%
2016	1,634,194	1,565,647	3,199,841	48.9%
2017	1,681,530	1,612,283	3,293,813	48.9%
2018*	1,730,237	1,660,308	3,390,545	49.0%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional

Table 2: Primary School enrolment by sex (2014-2018)

Number (000)

Years	Boys	Girls	Total	% girls
2014	5,052.5	4,898.5	9,951.0	49.2%
2015	5,127.9	4,962.9	10,090.8	49.2%
2016	5,219.3	5,060.3	10,279.7	49.2%
2017	5,293.9	5,109.8	10,403.7	49.1%
2018*	5,364.3	5,178.3	10,542.5	49.1%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional

Table 3: Enrolment in secondary schools by sex (2014-2018)

Number (000)

Years	Boys	Girls	Total	% girls
2014	1,213.3	1,118.4	2,331.7	48.0%
2015	1,348.4	1,210.5	2,559.0	47.3%
2016	1,396.9	1,323.6	2,720.6	48.6%
2017	1,450.8	1,380.0	2,830.8	48.7%
2018*	1,505.3	1,437.4	2,942.7	48.8%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional

Table 4: Enrolment in Technical and TVET Institutions by Sex (2014-2018)

Years	Male	Female	Total	% Females
2014	89,765	58,056	147,821	39.3%
2015	92,309	61,005	153,314	39.8%
2016	113,963	88,593	203,556	43.7%
2017	154,581	120,558	275,139	43.8%
2018*	205,142	158,742	363,884	43.6%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional

Table 5: Public Universities Enrolment by sex (2015/16-2018/19)

Years	Male	Female	Total	% Females
2015/16	252,858	170,726	423,584	40.3%
2016/17	271,813	180,681	452,494	39.9%
2017/18	260,603	180,528	441,131	40.9%
2018/19*	255,875	171,090	426,965	40.1%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional

Table 6: Private Universities Enrolment by sex (2015/16-2018/19)

Years	Male	Female	Total	% Females
2015/16	39,125	38,804	77,929	49.8%
2016/17	43,547	41,648	85,195	48.9%
2017/18	43,253	37,675	80,928	46.6%
2018/19*	46,764	39,453	86,217	45.8%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional

Table 7: Adult Education Enrolment by sex (2016-2018)

Years	Male	Female	Total	% Females
2016	85,575	186,194	271,769	68.5%
2017	63,588	142,636	206,224	69.2%
2018*	65,642	146,799	212,441	69.1%

SOURCE: ECONOMIC SURVEY 2019

\*- Provisional