



**REPUBLIC OF KENYA**

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## **BEIJING+30 Kenya Country Report**

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## FOREWORD

In the year 2025, Kenya like the rest of the world will observe the 30th anniversary of the Fourth World Conference on Women and the adoption of the 1995 Beijing Declaration and Platform for Action (BPfA). This milestone will coincide with the 10th anniversary of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals. Together, these frameworks provide an ambitious roadmap for achieving gender equality and women's empowerment, ensuring no one is left behind.

Kenya has always accorded matters of gender equality and empowerment of women and girls' high priority. Since the landmark 1985 World Conference on the Nairobi Forward Looking Strategies (NFLS) for the Advancement of Women to review and appraise the achievements of the UN Decade for Women, and the 1995 Beijing Declaration and Platform for Action, the country has made significant progress in advancing the rights of women and girl

In delivering the promise of the Beijing Declaration and Platform for Action, Kenya has been implementing the 12 Critical Areas of Concern which addresses the strategic needs of women, men, boys and girls, including marginalized groups and women with disabilities. The priorities on gender are well aligned with Kenya's economic growth agenda that envisions inclusive development as outlined in the Constitution, Kenya Vision 2030 and its Medium-Term Plans and the Government's Bottom-Up Economic Transformation Agenda (BETA) and its Women's 9-point Agenda.

Despite the progress made, there are still gaps, barriers, and obstacles in the way of achieving gender equality and women's empowerment. The Kenya Government is currently implementing a nine-point women focused agenda in order to empower more women and bring about inclusivity and gender balance in the governance structures. It covers critical areas which include, economic empowerment, gender equality in leadership, combating gender-based violence and safeguarding women's land rights. This gives us the chance to take decisive and bold steps that will not only hasten the advancement of women, men, boys, and girls but also promote sustainable, inclusive, and holistic development. Ensuring that every woman and girl realizes her full potential and exercises her rights is our joint obligation.

I would like to thank all of our development partners, especially the UN System and bilateral and multilateral agencies, for their assistance in implementation of the Beijing Platform for Action. I would

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like to express my gratitude to Ms Anna Mutavati, the Country Representative for UN Women, for her leadership and financial support in the preparation of this report.

A handwritten signature in black ink, appearing to read 'Musalia Mudavadi', with a horizontal line underneath.

H.E. HON. MUSALIA MUDAVADI, E.G.H.

Prime Cabinet Secretary

Office of the Prime Cabinet Secretary &

Ministry of Foreign & Diaspora Affairs

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## ACKNOWLEDGEMENT

Kenya is committed to implement the Beijing Declaration and Platform for Action (BPfA). The Government of Kenya, has submitted national review reports every five (5) years: 2000, 2005, 2010, 2015 and 2020. The last report was submitted in 2019 for the commemoration of the twenty- fifth anniversary, which was held in 2020.

In preparation for the thirtieth anniversary of the Fourth World Conference on Women and the Beijing Declaration and Platform for Action, in 2025, The Government of Kenya has conducted a comprehensive national-level review government-led process involving all stakeholders. Consultations were held with actors in Ministries, Departments and Agencies (MDAs), CSOs, Women Organizations, Youth organizations, Persons with disabilities, Indigenous groups, The Kenya Women Parliamentary Association (KEWOPA), The National Gender Sector Working Group, the media, County Governments and Development Partners.

This national report presents the initiatives and measures that were undertaken by the Government in partnership with other stakeholders during the period 2020-2024.

I would like to acknowledge the significant contributions made by the State Department for Gender and Affirmative Action staff, the National Planning Committee (NPC), the United Nations Entity for Gender Equality and the Empowerment of Women (UN WOMEN), the Civil Society Organizations, the private sector and all other stakeholders for their numerous reviews and technical assistance in enriching this report.

I am grateful to all the stakeholders who participated in the generation and finalization of this progress report. My sincere gratitude goes to all our partners for the support that has enabled Kenya to register the achievements in accelerating progress for women and girls.

Anne Wang'ombe

Principal Secretary

State Department for Gender and Affirmative Action

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

<b>AACs</b>	Area Advisory Councils
<b>ACRWC</b>	African Charter on the Rights and Welfare of the Child
<b>AfCFTA</b>	African Continental Free Trade Area
<b>AGPO</b>	Access to Government Procurement Opportunities
<b>AMWIK</b>	Association of Media Women in Kenya
<b>ASAL</b>	Arid and Semi-Arid Lands
<b>ASRH</b>	Adolescent Sexual and Reproductive Health
<b>BETA</b>	Bottom-Up Economic Transformation Agenda
<b>BPFA</b>	Beijing Platform for Action
<b>CAF</b>	County Assembly Forum
<b>CBK</b>	Central Bank of Kenya
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CHV</b>	Community Health Volunteers
<b>COBMIS</b>	Control of Budget Management Information System
<b>CoG</b>	Council of Governors
<b>CRC</b>	Convention on the Rights of the Child
<b>CRPD</b>	Committee on the Rights of Persons with Disabilities
<b>CSO</b>	Civil Society Organizations
<b>EAC</b>	East African Community
<b>EACC</b>	Ethics and Anti-Corruption Commission
<b>ECDE</b>	Early Childhood Development and Education
<b>EFA</b>	Education for All
<b>FDSE</b>	Free Day Secondary Education
<b>FGM</b>	Female Genital Mutilation
<b>FPE</b>	Free Primary Education
<b>GBV</b>	Gender-Based Violence
<b>GDP</b>	Gross Domestic Product
<b>GEF</b>	Generation Equality Forum
<b>GEWE</b>	Gender Equality and Women Empowerment
<b>GPI</b>	Gender Parity Index
<b>GRB</b>	Gender Responsive Budgeting
<b>GSSP</b>	Gender Sector Statistics Plan
<b>HRBA</b>	Human Rights-Based Approach

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<b>HSNP</b>	Hunger Safety Net Program
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination.
<b>ICT</b>	Information and Communications Technology
<b>IDLO</b>	International Development Law Organization
<b>IDP</b>	Internally Displaced Persons
<b>IEBC</b>	Independent Electoral and Boundaries Commission
<b>IFC</b>	International Finance Corporation
<b>IFMIS</b>	Integrated Financial Management System
<b>ILO</b>	International Labor Organization
<b>IOM</b>	International Organization for Migration
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>IPV</b>	Intimate Partner Violence
<b>ITN</b>	Insecticide-treated Nets
<b>KASF</b>	Kenya Aids Strategic Framework
<b>KCB</b>	Kenya Commercial Bank
<b>KDF</b>	Kenya Defence Forces
<b>KDHS</b>	Kenya Demographic Health Survey
<b>KEPSA</b>	Kenya Private Sector Alliance
<b>KEWOPA</b>	Kenya Women Parliamentary Association
<b>KHSP</b>	Kenya Health Sector Policy
<b>KICD</b>	Kenya Institute of Curriculum Development
<b>KIHBS</b>	Kenya Integrated Household Budget Survey
<b>KMSWG</b>	Kenya Media Sector Working Group
<b>KNBS</b>	Kenya National Bureau of Statistics
<b>KNHCR</b>	Kenya National Commission on Human Rights
<b>KPEEL</b>	Kenya Primary Education Equity in Learning Program
<b>KQMH</b>	Kenya Quality Model for Health
<b>KSDS</b>	Kenya Strategy for the Development of Statistics
<b>KSEIP</b>	Kenya Social and Economic Inclusion Project
<b>LPO</b>	Local Purchase Order
<b>LSO</b>	Local Service Orders
<b>MCAs</b>	Members of County Assembly
<b>MDA</b>	Ministry Departments and Agencies
<b>MTEF</b>	Medium Term Expenditure Framework
<b>MEWGC</b>	Making Every Woman and Girl Count

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<b>MFI</b>	Micro-Finance Institutions
<b>MICS</b>	Multiple Indicator Cluster Survey
<b>MSMEs</b>	Micro, Small, And Medium-Sized Enterprises
<b>MSWG</b>	Multi-Sectoral Working Group
<b>MTP</b>	Medium Term Plan
<b>NACCSC</b>	National Anti-Corruption Campaign Steering Committee
<b>NAP</b>	National Action Plan
<b>NCCAP</b>	National Climate Change Action Plan
<b>NCCC</b>	National Climate Change Council
<b>NCPWD</b>	National Council for Persons with Disabilities
<b>NDC</b>	Nationally Determined Contributions
<b>NDMA</b>	National Drought Management Authority
<b>NEMA</b>	National Environmental Management Authority
<b>NGAAF</b>	National Government Affirmative Action Fund
<b>NGEC</b>	National Gender and Equality Commission
<b>NGO</b>	Non-governmental Organization
<b>NHIF</b>	National Health Insurance Fund
<b>NICHE</b>	Nutrition Improvement through Cash and Health Education
<b>NITA</b>	National Industrial Training Authority
<b>NSNP</b>	National Safety Net Program
<b>ORPP</b>	Office of the Registrar of Political Parties
<b>OVC</b>	Orphans and Vulnerable Children
<b>PADV</b>	Protection Against Domestic Violence
<b>PFM</b>	Public Financial Management
<b>PMTCT</b>	Prevention of Mother to Child Transmission
<b>PSEA</b>	Protection against Sexual Exploitation and Abuse
<b>PTSD</b>	Post-Traumatic Stress Disorder
<b>PWDs</b>	Persons with Disabilities
<b>RCS</b>	Recommendations Compliance Scorecard
<b>SAGAs</b>	Semi-Autonomous Government Agencies
<b>SASDF</b>	Sports, Arts and Social Development Fund
<b>SCOA</b>	Standard Charter of Accounts
<b>SDGs</b>	Sustainable Development Goals
<b>SEQIP</b>	Secondary Education Equity in Learning Program
<b>SGBV</b>	Sexual and Gender Based Violence
<b>SHIF</b>	Social Health Insurance Act

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<b>SIGs</b>	Special Interest Groups
<b>SMEs</b>	Small and Medium-sized Enterprises
<b>SRGBV</b>	School-related Gender Based Violence
<b>SRH</b>	Sexual and Reproductive Health
<b>STEAM</b>	Science Technology Engineering and Mathematics
<b>STIs</b>	Sexually Transmitted Illnesses
<b>TFGBV</b>	Technology-facilitated Gender-Based Violence
<b>TVET</b>	Technical Vocational, Education and Training
<b>UHC</b>	Universal Health Coverage
<b>UPR</b>	Universal Periodic Review
<b>VACS</b>	Violence Against Children Survey
<b>WASH</b>	Water, Sanitation and Hygiene
<b>WEE</b>	Women Economic Empowerment
<b>WEF</b>	Women's Enterprise Fund
<b>WIT</b>	Women in Technology

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## INTRODUCTION

1. This report is prepared in conformity with the Guidance note for undertaking country level analysis of the 1995 Beijing Platform for Action (BPfA). The information provided builds on the 2019 Kenya's Beijing + 25 report and takes stock of progress made in the last five years from 2020 – 2024 on implementation of the critical areas of concern for the achievement of gender equality and the empowerment of women and girls. The report demonstrates the linkages between the 12 critical areas of concern of the BPfA and the 2030 Agenda for Sustainable Development under SDG 5 targets. The two frameworks which reinforce each other on measures the country is undertaking accelerating Gender equality and the empowerment of women and girls have been clustered in the following six (6) areas for ease of reporting:
  - i) Inclusive development, shared prosperity, and decent work;
  - ii) Poverty eradication, social protection, and social services;
  - iii) Freedom from violence, stigma, and stereotypes;
  - iv) Participation, accountability, and gender-responsive institutions;
  - v) Peaceful and inclusive societies; and,
  - vi) Environmental conservation, protection, and rehabilitation.
2. The report is divided into six (6) sections as follows:

**Section one** of the report highlights the core elements of the national review process at the country level, main achievements, challenges and set-backs experienced as well as some of the promising practices that have translated into transformative change in the lives of women and girls in Kenya.

**Section two** describes the main achievements, challenges and setbacks in progress towards gender equality and the empowerment of women during the past five years. The analysis further includes the new and emerging priorities for the future action.

**Section three** focus on measures taken around the 12 critical areas of concern of the Beijing Platform for Action and their alignment with SDG targets in advancing gender equality and provides examples of concrete measures along the six clusters identified.

**Section four** describes the national processes and mechanisms in Kenya on the implementation and monitoring of the BPfA and the 2030 Agenda for Sustainable Development.

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**Section Five** highlights progress on the available data disaggregated by sex and gender statistics for monitoring implementation of BPfA and 2030 Agenda for Sustainable Development.

Lastly, **Section Six** examines the future challenges and priority actions considered necessary to accelerate the BPfA implementation and the 2030 Agenda including information about targeted measures for marginalized groups of women and girls.

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## SECTION ONE: HIGHLIGHTS

### Country Review Process

3. In 2025, the global community will mark the thirtieth anniversary of the Fourth World Conference on Women and adoption of the Beijing Declaration and Platform for Action (1995), and 10 years of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs). Leading up to the anniversary, Kenya like other United Nations Member States, has undertaken a comprehensive country-level review process with key stakeholders, including: key Ministries, Departments and Agencies (MDA's), the private sector, UN Women, the media, civil society and other stakeholders. The process ensured an inclusive, participatory, transparent and thorough review process based on evidence, while also producing tangible lessons and solutions, followed by concrete actions and collaboration towards the implementation of the Beijing Declaration and Platform for Action (BPfA) and the SDGs.
4. While undertaking the assessment, Kenya reviewed the current legal, policy and institutional frameworks that have been put in place to effect the provisions of the BPfA and the programmatic interventions for accelerating the implementation of the twelve critical areas of concern geared towards achieving gender equality and the empowerment of women and girls. The assessment also reviewed the Government and other partner's budgetary allocations and expenditures dedicated to gender equality initiatives, implementation mechanisms and institutions and programs responsible for achieving gender equality and the collaborative efforts being employed through stakeholder engagements with civil society, private sector, the media, academia, the private sector, communities, among others. The report highlights several achievements, progress, challenges, and setbacks in the implementation of the BPfA and the SDGs.

### *Progress, challenges, and setbacks in the implementation of the BPfA, based on statistical data, as well as the factors that influenced the success or failure of progress across critical areas.*

5. Since the adoption of the BPfA in 1995 and the 2030 transformative Agenda on Sustainable Development Goals of 2015, Kenya has made steady progress towards gender equality and the empowerment of women and girls. Central to this entire enterprise has been the Constitution of Kenya which provides for non-discrimination and equality between women and men in all spheres of life. Consequently, Kenya has adopted a robust regime of laws, policies and strategies geared towards realizing the constitutional provisions.
6. Some of the key policies, laws and strategies in the past five years include: In the past five years, some of key policies, legislation and guidelines developed include: the Children's Act, 2022,

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Prevention Against Domestic Violence (PADV) Rules (2020), National Guidelines for School Re-Entry in Early Learning and Basic Education 2020, Persons with Disabilities Amendment Bill of 2023, Kenya Community Health Policy 2020-2030, Social Protection Policy, 2024, Sessional Paper No. 3 of 2019 on the National Policy on Elimination of Female Genital Mutilation with its costed acceleration national plan, and, most critically, Sessional Paper No. 2 of 2019 on the National Policy on Gender and Development.

7. The gender policy forms the foundational framework for promoting gender equality, with its accompanying action plan, the policy sets out legislative and administrative measures to address the existing gaps in the realization of gender equality and women's empowerment while facilitating the development of sectoral specific policies that are increasingly being used to guide gender mainstreaming at the national and sub-regional levels.
8. Similarly Kenya's development agenda, as captured in the Vision 2030 seeks to ensure that both men and women enjoy a high quality of life. The vision continues to be implemented in five-year Medium-Term Plans with gender equality has been prioritized as a flagship project. Kenya is currently implementing the Fourth Medium Term Plan which is aligned with the national development strategy, the Bottom-up Economic Transformation Agenda (BETA) which aims at transforming the lives of Kenyans with a specific focus on the historically disadvantaged and marginalized groups including women and the youth.
9. Given the enabling policy and legal environment, Kenya is therefore making good progress in the implementation of the BPfA in some areas which include in health, education, financial inclusion, Gender Based Violence including, FGM, decision-making and social protection. Kenya has registered some positive results in promoting good health and well-being as envisioned both in (SDG3) and BPfA. The health outcomes include a decrease in the disease burden by 6.9percent from 94.3 million in 2021 to 87.8 million in 2022. On maternal and child health, the percentage of live births assisted by a skilled provider increased markedly over the past two decades, from 41percent in 2003 to 89percent in 2022 (KDHS, 2022).
10. Additionally, the number of deliveries in health facilities increased from 1,243.1 thousand in 2021 to 1,249.9 thousand in 2022 accounting for 82.0 per cent of total deliveries in 2022 (Economic Survey, 2023). Maternal Mortality Ratio also dropped from 362 per 100,000 live births in 2014 to 355 per 100,000 in 2019 although it still falls short of the 2030 target to reduce the global maternal mortality ratio to less than 70 per 100,000. On contraceptive prevalence, the rate for modern methods for women of reproductive age increased from 49 per cent (2020) to 57 per cent in 2021 and then to 74.7 per cent in 2022. The proportion of married women who made their own informed decision doubled from 32.4 per cent in 2014 to 64.8 per cent in 2022

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for women aged 15-49 years who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care.

11. In education, budgetary allocation has been increasing with an anticipated increase of 23.9 per cent to Ksh. 689.6 billion in 2023/24 from Ksh. 556.5 billion in 2022/23 to boost equity. In primary education, gender parity has been achieved in enrolment, with the Gender Parity Index around 0.97.
12. On Gender Based Violence, the KDHS 2022 indicates the proportion of women aged 15-49 years who experienced any form of physical, sexual and/or psychological intimate partner violence in the previous 12 months reduced from 32.7 per cent in 2014 to 28.1 per cent in 2022. Prevalence of physical violence declined from 22.6 per cent in 2014 to 16.0 per cent in 2022 while sexual violence declined from 9.8 per cent in 2014 to 7.1 per cent in 2022. With regard to child, early, and forced marriage, among women aged 20-24 who were married or in a union before age 15 declined from 4.4 per cent in 2014 to 2.2 per cent in 2022, while the proportion of those who were married or in union before age 18 dropped from 22.9 per cent in 2014 to 12.5 per cent in 2022. Notable progress in efforts to protect the rights and well-being of girls are demonstrated in decline of national prevalence of FGM from 21.0 per cent in 2014 to 14.8 per cent in 2022.
13. On women in leadership, the Judiciary stands out in women's representation in decision-making positions. Significant milestones have been made and for the first time in the history of Kenya, the Chief Justice, Deputy Chief Justice and Attorney General are women. Overall women account for 44percent in the Judiciary, an indication of progress towards gender parity. In the executive, women representation as Cabinet Secretaries has increased from 30 percent in 2017 to 31.8 per cent in 2024. At the Governors level, there has been remarkable improvement from 6.3percent in 2017 to 14.9 percent in 2022. According to the 2021 Board Diversity and Inclusion Report, women in Kenya constitute 36percent of the corporate board positions, higher than the global average of 23percent.
14. Significant progress has also been made on financial inclusion through the Government affirmative action programmes mainly the Women Enterprise Fund, Youth Development Enterprise Fund, Uwezo (Empowerment) Fund, National Government Affirmative Action Fund as well as the Access to Government Procurement Opportunities. The Women Enterprise Fund establishment in 2007, has disbursed approximately US\$ 150 million disbursed to women entrepreneurs, enabling them to start and/or grow their businesses. 2 million women have been trained on entrepreneurship skills and 257 Women-Owned SACCOs registered to support women's economic independence and financial inclusion. The Fund has also transformed into

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a digital lending model, hence making access to finance and loans available on Mobile USSD and Mobile APPs, which has resulted in growth of disbursements to US\$ 6.5 million per month.

15. Kenya was also the recipient of the Africa Gender Award – 2022 from the Gender is My Agenda Campaign (GIMAC), in recognition of the Government’s exemplary leadership on implementation of the African Union Solemn Declaration on Gender Equality in Africa.
16. Overall, as Kenya continues to advance gender equality, challenges faced in the country in the past five years have threatened to erode gains made. Implementation of the BPFAs, SDGs and related human rights instruments was affected by the COVID 19 pandemic, geopolitics, debt crisis and climate change, with women mostly bearing the brunt. Additionally, data gaps including sex-disaggregated and timely data continues to pose a problem for comprehensive monitoring of the BPFAs and SDGs implementation and outcomes.

### Challenges

17. The following challenges persist:
  - i) Despite Constitutional provisions, the ‘*not more than two-thirds gender principle*’ has faced challenges of implementation since the adoption of the Kenya Constitution in 2010;
  - ii) Deep-seated cultural and societal norms that hinder women's access to leadership positions and continue to perpetuate harmful practices such as female genital mutilation (FGM) and contribute to the normalization of gender-based violence (GBV);
  - iii) Unequal care burden where women disproportionately shoulder unpaid care work, limiting their time for education, productive work and the realization of their full potential;
  - iv) Limited budgetary allocations that constrain the reach and impact of some gender equality interventions;
  - v) The uneven enforcement of regulations regarding awarding government tenders to women-owned businesses limits economic opportunities for women; and,
  - vi) Limited data on the impact of interventions for marginalized groups like women with disabilities makes it difficult to assess their effectiveness and target support appropriately.

*How the Government has considered and addressed the specific needs of women and girls from marginalized groups in line with the principle of leaving no one behind.*

- 18. The Government provides quotas for women in public service positions and training programs specifically targeting women with disabilities and recognizes the need for better data collection to understand the specific needs and challenges faced by marginalized groups within the broader category of women.

# KENYAN GOOD PRACTICES AND LESSONS

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## PUBLIC PRIVATE PARTNESHIPS

Collaboration between the government, NGOs, and the private sector has proven effective in initiatives like the Ajira Digital Project, which equips young women with digital skills and connects them with employment opportunities.



## THE GENDER SECTOR WORKING GROUP

Involves bringing together synergies between State and Non-State actors including UN agencies in advancing GEWE.

## GENDER-RESPONSIVE BUDGETING

Allocating resources based on identified gender needs ensures programs address the specific challenges faced by women and girls



## FOCUS ON EMPOWERMENT

Equipping women with skills, resources, and knowledge is essential for achieving sustainable change and ensuring women can actively participate in shaping their own futures.

# KENYAN AREAS OF COLLABORATION

## FINANCING

Increased funding is needed to expand existing programs, implement new initiatives, and ensure long-term sustainability. An example is support in determining what works in efforts of ending Gender Based Violence for better programming



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## CAPACITY BUILDING AND RESEARCH



This is needed in order to create a better understanding on how gender dimensions can be integrated in microeconomic frameworks for poverty eradication. It has been observed that knowledge of technical terminology on macroeconomic frameworks is still limited among gender advocates as well as government personnel including civil society.

## INVESTMENTS IN DATA COLLECTION

Data on the impact of interventions, particularly for marginalized groups, is essential for informed decision-making and tailoring programs to address specific needs.



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## SECTION TWO: PRIORITIES, ACHIEVEMENTS, CHALLENGES AND SETBACKS

### **The most important achievements, challenges and setbacks in progress towards gender equality and the empowerment of women.**

19. The priorities on gender are aligned with Kenya's economic growth and development plans based on the Constitution, Kenya Vision 2030 and its Medium-Term Plans and the Government's Bottom-Up Economic Transformation Agenda (BETA) and its Women's Agenda and the 9-Point Agenda. Initiated in 2022, BETA target is marginalized individuals and communities within the five sectors namely: Agricultural Transformation; Micro, Small and Medium Enterprises; Housing and Settlement; Healthcare; and, Digital Superhighway and Creative Industry.
20. Within the context of BETA, the Government's focus on gender equality and empowerment focuses on: economic empowerment; inclusion in leadership; addressing gender-based violence (GBV) and female genital mutilation (FGM); social welfare for women in diaspora; health issues; provide a clean and safe environment; implement the free sanitary towels programme; and, address women and girls' land rights.

### **The top five priorities for accelerating progress for women and girls in the country through laws, policies and/or programmes.**

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

21. Kenya's has priorities on gender equality are premised on the Constitution which provides for equality of all persons under the law. According, appropriate laws policies and programmes are being implemented to enhance and protect the rights of women and girls. Addressing property rights is critical towards poverty alleviation and economic empowerment. Ending Gender Based Violence is also critical due to the fact that women are disproportionately the most affected by GBV along other harmful practice. To protect these rights, have been protected through legislative reforms, such as amendment to the Law of Succession Act, 2018 which now recognizes the legitimacy of both boys and girls in property inheritance and land rights. Details of further examples are elaborated in the corresponding sectors.
22. The equality of women and girls is a global issue and to this end, Kenya has ratified the major international human rights instrument that seeks to achieve equality and inclusivity. Currently, the government of Kenya is in the process of ratifying ILO Convention 189 on Domestic Workers and 190 on Elimination of GBV and Harassment in the World of Work.

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23. The judicial system has facilitated access to justice by established twelve (12) specialized GBV courts to enhance the efficiency and efficacy of GBV matters in a manner that protects the rights of the vulnerable survivors. The Judiciary also developed a GBV Strategy to address the challenges in dealing with cases. Further, the Small Claims Court have been operationalized as a result of the Small Claims Court (Amendment) Act, 2020. The courts are designed to ensure simplicity of procedure, speedy resolution of cases, accessibility and services offered at low cost. This measure has been instrumental in enhancing access to justice for the poor and marginalized persons in Kenya, including women.

### **Political Participation**

24. The Bill of Rights, in Article 27(6) of the Kenya Constitution, provides for legislation, policies and programs; including affirmative action to redress the marginalization suffered by previously marginalized groups including women. Article 27(8) further provides for the principle that *'no more than two-thirds of the members of elective and appointive bodies shall be of the same gender'*. In order to realize this principle, a Multi-Sectoral Working Group (MSWG) representing diverse actors was established on August 25, 2023. The Working Group has since developed a proposed framework for the implementation and submitted its final report and proposed legislative instruments to the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage on 22<sup>nd</sup> February 2024, for consideration by Parliament,
25. Additionally, the seven elected women governors launched the 'G7 Strategy' whose main focus is to increase women's representation in political decision-making, and deliver on the promise of devolution through their leadership by ensuring that 24 women governors are elected in 2027.

### **Unpaid Care and Domestic Work**

26. Kenya undertook the National Care Needs Assessment in 2021 to assess the care situation provided by the households, the state and non-state actors. Additionally, Kenya's inaugural 2021 National Time Use Survey marked a pivotal moment in incorporating data on unpaid household and caregiving labor into the economy, with a specific focus on gender dynamics. According to the report, women across the nation devote nearly five times more hours than men to unpaid domestic and caregiving tasks. Such disparities have the potential to perpetuate gender inequalities and impede women's empowerment efforts (KNBS, 2021). Formulation of the National Care Policy 2024 is in the process of finalization, and its implementation is expected to enhance employment policies that create favorable conditions for the participation of women and girls in the workforce.

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27. **The Employment Act (Cap. 226), (Revised Edition 2012 (2007) and the Regulation of Wages and Conditions of Employment Act (Cap. 229)** make rules governing wages, leave and rest, health and safety, the special position of children and women and termination of employment. Article 29 provides paid maternity leave that lasts 90 days at 100percent pay to enable the women to breastfeed the babies exclusively and paid paternity leave for 14 days.

### **Challenging Discriminatory Social norms and Gender Stereotypes**

28. The government is undertaking specific interventions targeting social norms and gender stereotypes including implementation of the Prohibition Against Female Genital Mutilation Act of 2011, the Children's Act, 2022 which stipulates under Article 23 (1) No person shall subject a child to female genital mutilation; child marriage; virginity testing and girl child beading. The other policies include the National Policy on Eradication for FGM 2019, the National Policy on Prevention and Response to GBV, 2014. The engagement of male cultural, religious and political leaders as key stakeholders in the national action plan to end FGM has contributed to positive outcomes. While FGM is on the decline nationally, one in four women are still being cut with some regions recording high prevalence rates.
29. On education, the Model Gender Mainstreaming Policy for Technical and Vocational Educational and Training (TVET), 2023, provides a roadmap towards gender mainstreaming in TVET institutions. The National Industrial Training Authority (NITA): has also been instrumental in challenging gender stereotypes by providing training for women to build their capacity for entry into male dominated sectors within the job market through; vocational training, aligning training with industry needs, offering gender responsive apprenticeships and internships which mitigate the effects of time poverty by providing day care facilities and flexible learning hours. Providing certification and recognition allows for formal recognition of women's expertise, and promotion of technical careers stimulating women's interest in technical careers in order to engender the gender-neutral attitudes around.

### **Gender Responsive Budgeting**

The government has undertaken the following measures:

30. Established the Control of Budget Management Information System (COBMIS) which provides evidence of progress on strengthening financial systems to track and make public allocations to gender equality and empowerment of women and girls. In 2023, the needs assessment, design, and implementation of the Control of Budget Management Information System (COBMIS) was finalized by the Office of Controller of Budget in partnership with UN Women and UNICEF

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31. The Standard Charter of Accounts (SCOA) system was also set up. This is the accounting system used by the National Treasury to improve public financial management (PFM) processes such as allowing consistency between budget allocations and integrated financial management system (IFMIS) codes, facilitate performance accounting and integrating recurrent and development activities. The system was updated with gender specific codes to track the gender financing from the allocation by the national treasury in partnership with UN Women and UNICEF.

### **Specific actions taken to prevent discrimination and promote the rights of marginalized groups of women and girls.**

#### **Indigenous peoples**

32. In Kenya, Indigenous Peoples are mainly pastoralists and hunter-gatherers, as well as fisher peoples and small farming communities. These people often lack formal recognition over their lands, territories and natural resources, face multiple barriers to participate fully in the formal economy, enjoy access to justice, and participate in political processes and decision making. They often lack public investments in basic services and infrastructure. Much of the land occupied by Indigenous Peoples is under customary ownership, yet many governments recognize only a fraction of this land as formally or legally belonging to Indigenous Peoples. Even when Indigenous territories and lands are recognized, protection of boundaries or use and exploitation of natural resources are often inadequate. Insecure land tenure is a driver of conflict, environmental degradation, and weak economic and social development. This threatens cultural survival and vital knowledge systems – loss in these areas increasing risks of fragility, biodiversity loss, and degraded systems which threaten the ecosystem services upon which they all depend. This inequality and exclusion have made Indigenous Peoples more vulnerable to the impacts of climate change and natural hazards.
33. Kenya has no specific legislation governing indigenous peoples but has ratified the: International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); Convention on the Elimination of Discrimination against Women (CEDAW); and, Convention on the Rights of the Child (CRC). The Constitution specifically includes minorities and marginalized communities as a result of various historical processes, with specific reference to indigenous peoples. The Constitution makes international law a key component of the laws of Kenya and guarantees protection of minorities and marginalized groups. Under Articles 33, 34, 35 and 36, freedom of expression, the media, and access to information and association are guaranteed. Article 63 of the Constitution of Kenya guarantees the rights of communities to their lands and territories. It states that community land consists of land lawfully held, managed

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or used by specific communities as community forests, grazing areas or shrines and that it includes ancestral lands and lands traditionally occupied by hunter-gatherer communities.

34. Kenya's indigenous women are confronted by multifaceted social, cultural, economic and political constraints and challenges. Firstly, by belonging to minority and marginalized peoples nationally; and secondly, through internal social cultural prejudices. These prejudices have continued to deny indigenous women equal opportunities to rise from the morass of high illiteracy and poverty levels. It has also prevented them from having a voice to inform and influence cultural and political governance and development policies and processes, due to unequal power relations at both basic and national levels. These factors have contributed to their limited access to land, natural resources and credit. To effectively address the indigenous agenda, the government recognizes the need to adopt the indigenous UN representative on indigenous issues in Kenya.
35. On the other hand, Kenya is making positive strides towards achieving Education for All (EFA) goals. The government has implemented several interventions to support this goal, including the introduction of Low-Cost Boarding Schools and Mobile Schools in Arid and Semi-Arid Lands (ASALs).

### **Women and girls with disabilities**

36. According to the 2019 National Housing and Population census, the population of persons with disabilities above the age of 5 years stood at 916,692. This constitutes about 2percent of Kenya's population. Some of the measures undertaken include the review of the Persons with Disabilities Act, 2003, ratification of Article 27 of the Protocol to the African Charter on the Rights of Persons with Disabilities approved by the Cabinet in 2021 which guarantees the sexual and reproductive health rights of women with disabilities with the right to retain their body autonomy. Additionally, in the Sexual Offences Act the criminalization of prostitution of persons with mental disabilities which is punishable with imprisonment for a term of not less than ten years.
37. The government also provides a tax exemption to persons with disabilities including women with disabilities, which are waived from PAYE up to 1151.63 USD (150,000 Ksh), business permit waivers, vehicle tax exemption. The Disability Awareness Creation Booklet was also published as a resource book for awareness creation on disability while the Inua Jamii Cash Transfer programme has been scaled up and around 137,119 persons with disabilities, registered to benefit from the Persons with Severe Disabilities Cash Transfer programme. Out of this, a total of 28,152 households with severe disabilities will be enrolled to the programme as replacements or scale ups.

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38. The Implementation of the 5percent employment reservations for persons with disabilities in public sector; and the Implementation of the affirmative action under the Access to Government Procurement Opportunities (AGPO) where 30percent of government tenders are reserved for persons with disabilities, is another milestone in ensuring the inclusion of persons with disabilities in development through economic empowerment. The government is also providing incentives to employers who recruit PWDs.
  39. Further, the government provides technical skills to persons with disabilities in 12 Vocational Rehabilitation Centres across the country. The graduates of these centers are provided with relevant business start-up toolkits to enable them engage in income generating activities for self-reliance and independent living. Every year, the centers train approximately 700 persons on information communication technology, electrical installation, fashion and design, among others.
  40. On access to health care, the disability policy recognizes intellectual disability while the National Health Insurance Fund (NHIF) provides for disability needs and cover for therapies and assessments. Despite this, the health sector policy, implementation is not targeted to persons with disability as well as insufficient specialized healthcare services tailored to various disabilities including reproductive health services hence the need to disintegrate health data to capture diverse disability and specific needs required to navigate the health system

### **Challenges**

41. Limited data on diversity on disability, NHIF capitation is insufficient, pre-training and In-service training of health care workers is insufficient (curriculum does not recognize diverse disability). Most persons with disability cannot afford to pay NHIF payment (out of pocket cost of treatment, transport). Additionally, diapers are not subsidized for Persons with Disabilities.
42. Some of the other challenges include inadequate provision of assistive learning devices, acquisition of basic commodities such as diapers, sanitary towels and inadequate funding to provide full scholarships for PWDs.
43. The challenges can be addressed through capacity building on repair and maintain, replenish old ICT equipment, skills training, ensuring that scholarship for persons with disability are not restricted by age and that the scholarship provided to children of a woman with disability should not be categorized (severe disability). Employers should also be compelled to comply with the law on 5percent employment opportunities to Persons with Disabilities.

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## **Women Living with AIDS**

44. To prevent new HIV infections, integrated prevention mechanisms have been implemented countrywide. These include structural, behavioral and biomedical interventions; Voluntary Medical Male Circumcision (VMMC), Prevention of Mother to Child Transmission (PMTCT) and Condom programming), increased Antiretroviral Therapy uptake, and the development of policy documents to address stigma and violence towards key and vulnerable populations. The National Multisectoral HIV Prevention Acceleration Plan 2023 -2030 provides guidance for accelerating the reduction of new HIV infections. As recommended by Kenya Aids Strategic Framework (KASF) II 2020/21–2024/25 and the Kenya HIV Prevention Revolution Road Map, this plan puts communities at the center of the response to increase programme sustainability and integrates services with Kenya’s health system to enhance efficiency.

## **Younger and Older Women**

45. In 2019, the Kenya Violence Against Children Survey (VACS) revealed that 49 percent of girls and 48 percent of boys aged 13-17 experienced physical violence. Additionally, 11 percent of girls and 4 percent of boys reported experiencing sexual violence. The Children’s Act (2001, revised in 2012) prohibits discrimination, torture, cruel treatment, sexual exploitation, and physical punishment of children. It emphasizes the right to protection from abuse, neglect, and all forms of violence. The Kenya Sexual Offences Act (Act No. 3 of 2006) and the Basic Education Act (Act No. 14 of 2013) further support these efforts by endorsing policies against gender discrimination and corporal punishment in schools.
46. The sanitary towel programme has also been rolled out to ensure continued access to free and quality sanitary towels for girls enrolled in public basic education institutions, addressing menstrual hygiene challenges and promoting gender equality in education. During the 2023/24 financial year, the programme will benefit 2,293,251 girls in public primary schools and junior secondary schools with a budget of 876,000,000 million.

## **Migrant Women and Girls**

47. The Government has developed the migration policy as well as a curriculum for the establishment of the Kenya Institute of Migration studies in order to mainstream the rights of migrant women and girls in Kenya. Similarly, the National Assistance Trust Fund for trafficking in Persons has been operationalized to provide assistance to victims of trafficking in persons through rescue, screening, referrals, legal assistance, repatriation, economic empowerment and reintegration. In the last financial year 2022-2023, the Fund was able to repatriate 15 Kenyans who had been trafficked to Laos and Turkey for cybercrimes and sexual exploitation while 36

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survivors trafficked to the gulf countries as domestic workers were provided with economic empowerment. Additionally, Guidelines have been developed to provide a framework for disbursement of funds and procedure for assisting identified victims of trafficking.

48. The government has established a Migrant Workers Fund to support migrants as per The Labour Migration and Management Bill, 2023, Article 40 (1)(2). The Migrant Workers Welfare Fund is intended to provide protection and assistance to Kenyan migrant workers during departure, stay in the destination country and upon return to the country.

### **Refugee and internally displaced women and girls**

The government of Kenya has made several efforts towards safeguarding the rights of refugees and internally displaced women and girls. These include:

49. The Refugees Act No. 10 of 2021 which seeks to provide a safe asylum space for refugees especially the most vulnerable groups such as women, children, persons with disabilities and unaccompanied minors. The Act recognizes that refugees in Kenya have rights like everyone else. It establishes government institutions tasked with the responsibility of managing refugee affairs. Further, it seeks to provide a safe asylum space for refugees especially the most vulnerable groups such as women, children, persons with disabilities and unaccompanied minors. Kenya is party to the Djibouti Declaration of refugee Education, has developed a Framework for supporting refugee learners.

### **How the confluence of different crises affected the implementation of the BPfA in the country, and the measures taken to prevent their negative impact on progress for women and girls.**

#### **COVID-19 and other pandemics**

50. The Covid-19 pandemic proved to be a significant challenge in Kenya's Implementation of the BPfA's commitments in the following areas:
- i) **Sources of livelihood:** The COVID-19 pandemic led to loss of jobs and other sources of livelihood, and to loss of incomes for more women (20percent) than men (12percent).
  - ii) **Food security and agriculture production:** More women than men had to either eat less/ skip a meal (33 percent and 31 percent, respectively) or go hungry without food (12 percent and 10 percent, respectively). Aggravating food security concerns is the disruption of the agriculture value chain activities with a noticeable decline in access to agricultural inputs affecting a slightly higher proportion of women in urban areas (42 percent) relative to men (37 percent), indicating that availability and ability to buy

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agricultural inputs had declined. However, the proportions were relatively similar for rural areas with both at 45 per cent.

- iii) **Unpaid care and domestic work:** Although COVID-19 generally increased the time individuals spent on both unpaid care and domestic work, a higher proportion of women than men spent more time in unpaid care work. The increase was higher for unpaid care work related to children, such as minding children at 40 percent for women and 37 percent for men; teaching children at 53percent for women and 15percent for men; and caring for children at 41percent for women and 39percent for men. This is likely to have affected their labour participation with the new norm of working from home.
- iv) **Social protection:** To help households cope with disrupted livelihoods, the Government of and non-state actors, offered support to vulnerable individuals in form of cash, medical supplies and food particularly to those in informal settlements. The social protection was the same for both genders (at 7 percent). However, challenges were cited in identifying and verifying the most vulnerable and in mapping organizations offering cash transfers and other social protection programmes. In addition, support from friends and relatives (remittances) declined for more women (23 percent and 25 percent in urban and rural areas, respectively) relative to men (21 percent and 23 percent in urban and rural areas, respectively).
- v) **Education for girls and boys:** Although 76 percent of women and 24 percent of men helped their children continue with learning activities from home, more girls (34 percent - rural and 28 percent - urban) than boys (33percent -rural and 27 percent - urban) did not continue with learning from home. This is probably because more girls (18 percent) than boys (11 percent) spent most of their time helping with household chores. Lack of a conducive environment and skilled instructors were cited as some of the major challenges affecting girls' and boys' ability to learn from home. In addition, correlation test results indicated a significant relationship between not learning from home and challenges that hindered girls and boys from learning from home. |
- vi) **Health:** Although COVID-19 has affected the physical health of both women and men, the burden of mental and psychological health disproportionately falls on women. Coupled with the circumstances around the pandemic, including home-based care for asymptomatic patients, the burden of stress, anxiety and confidence, losing one's job and therefore incomes, having to take care of families at home and ensure that their basic needs are met amid financial constraints may have contributed to the decline in

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mental health of women at 60 percent relative to men at 56 per cent. Similarly, sexual and gender-based violence, including physical and psychological abuse and other forms of abuse and sexual violence often place girls and women at high risk of physical and mental trauma, disease and unwanted pregnancies. Other challenges include limited access to healthcare services where more women (58 percent) than men (51percent) who sought child healthcare services could not get the service.

- vii) **Water and sanitation and access to menstrual hygiene products:** Access to sufficient clean and safe water was relatively high at 70 percent and 78 percent of households living in rural and urban areas, respectively. Regarding menstrual hygiene, most women and girls (over 90 percent) reported decrease or no access to some menstrual hygiene products since the onset of COVID-19 due to reduced income. Specifically, the decrease in access was more prominent in informal settlements within urban areas, affecting about 73 percent, relative to rural areas at 65percent of the girls and women. Limited access among girls from the less fortunate households was also attributed to the fact that sanitary pads were mostly provided in schools and with school closure, they could not access the same.
- viii) **Occurrence of Gender Based Violence (GBV) and harmful practices:** Acts or threats of violence during the pandemic occurred both within and away from home. Physical (23 percent and 21 percent in urban and rural areas, respectively) and sexual harassment (19 percent and 16 percent in urban and rural areas, respectively), child marriages (15percent and 20percent in urban and rural areas, respectively) and Female Genital Mutilation (FGM) particularly in rural areas were the most prevalent forms of violence. This was mostly experienced in the homes with the perpetrators being predominantly family members and friends.

### Debts Crisis

- 51. Public debt finance and its servicing continue to constitute an immense drawback for Kenya since it impedes the government's commitment and efforts towards closing gender equality gaps and supporting women. The costs of servicing debts often disproportionately impact women, but further borrowed funds are not targeted at supporting initiatives to promote women's rights. Securing and paying debt typically comes with various macroeconomic policy conditions, commonly including measures to push governments to reduce expenditures in critical social investments and public services. Such measures often include cuts to social protection, health care, and gender-based violence prevention and response services. Reduction of expenditures

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in these sectors and services has a disproportionate impact on women who both benefit from these services and are overrepresented as employees in these sectors

### **Climate Crisis**

52. Explicit and implicit social norms and laws have imposed differentiated powers, roles, and responsibilities on women and men in all aspects of life. Girls and women, especially in rural Kenya, bear an unequal responsibility for securing food, water, energy, and other vital resources as well as for caring for the young and elderly. This places them at greater risk of experiencing detrimental climate impacts. For example, girls and women often suffer the most when heat waves, droughts, severe storms or other extreme climate events strike. They face physical and mental health complications, bear the burden of traveling farther to collect scarce food, water, and firewood, and are often forced to stay behind in disaster-prone areas to care for the vulnerable. In addition, girls and women have been prevented from full and fair participation in the global climate action movement.
53. Women also face barriers to leaving areas prone to climate change and natural disasters due to the gendered nature of migration decision-making. During climate crises such as floods and droughts, women are often prevented from fleeing as the men are the decision makers when it comes to when and where to move to. Further, women often face increased barriers to leaving disaster-prone areas because of their caregiving obligations, lack of financial assets, and limited rights to land and property. When they do manage to leave, girls and women face higher risks of unemployment, child marriage, human trafficking, and gender-based violence.
54. Women face disproportionately high health risks from the effects of climate change. Climate change threatens reproductive and maternal health. Increases in temperature, rainfall, and humidity create favorable conditions for vector-borne diseases, such as malaria, dengue fever, and Zika virus, which can cause miscarriages, premature birth, and anemia among pregnant women. And the February 2022 report from the Intergovernmental Panel on Climate Change (IPCC) found that girls and women are also at higher risk of food insecurity than boys and men, are more likely to die in extreme weather events, and are more likely to experience mental health impacts caused by climate change.
55. In Kenya, Women activists from ASAL's have been particularly vocal about their inclusion within the climate change conversation given the fact that they bear the brunt of the negative effects of climate change.

**The priorities for accelerating progress for women and girls in the country through laws, policies and/or programmes over the NEXT five years.**

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## **Equality and non-discrimination under the law and access to Justice**

56. The Constitution is recognized as the supreme law of the land and is instrumentality as an equalizing principle. In this regard therefore, the country has prioritized interventions within law in order to realize gender equality. Kenya's efforts towards equality and non-discrimination under the law and access to justice are recognized in a 2024 report by UN Women and International Development Law Organization (IDLO) on strengthening Gender Equality and Law.
57. Some of the major interventions include the comprehensive legislation on property rights, Gender-Based Violence (GBV) and other sectors that impact women. Further, current legislation in sectors such as health, education, business is gender responsive. Key examples of the above stated include: an amendment to the Law of Succession Act, 2018 now recognizes the legitimacy of both boys and girls in property inheritance and land rights. Kenya is also in the process of ratifying ILO Convention 189 on Domestic Workers and 190 on Elimination of GBV and Harassment in the World of Work.
58. Kenyan laws have been supplemented by reforms within the judicial system allowing for the operationalization of these laws by providing women with access to justice. The Judiciary has established twelve (12) specialized GBV courts to enhance the efficiency and efficacy of hearing SGBV matters in a manner that protects the rights of the vulnerable survivors. The Judiciary also developed a GBV Strategy to address the challenges in dealing with GBV cases. The operationalization of the Small Claims Court following the Small Claims Court (Amendment) Act, 2020 has also been instrumental in enhancing access to justice for the vulnerable persons in Kenya including women. The courts are designed to ensure simplicity of procedure, speedy resolution of cases, accessibility and services offered at low cost.

## **Political Participation and representation**

59. While the Constitution provides for the not more than 2/3<sup>rd</sup> gender principle in order to safeguard gender equality in political participation and representation, the country is yet to fully implement the provision. To this effect, a Multi-Sectoral Working Group (MSWG) was established on August 25, 2023 to develop a framework to implement the outstanding Constitutional requirement on the 'not more than two-thirds gender principle' in elective and appointive public institutions. The Working Group has since developed a proposed framework for the implementation in accordance with Articles 27(6) and (7) as well as 81(b) of the Constitution of Kenya. The final report and proposed legislative instruments were to Parliament for consideration.

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60. Another priority for the government fronted by the seven women elected governors (G7), is a roadmap towards the election of 24 women governors in the 2027 election. The goal of the initiative is to increase not only women's interest in politics, but also to impact their ability to compete on an equal footing with their male counterparts.

### **Unpaid care and Domestic work**

61. Kenya undertook the National Care Needs Assessment in 2021 to assess the care situation provided by the households, the state and non-state actors. Additionally, Kenya's first Time Use Survey by the Kenya National Bureau of Statistics (KNBS) in 2021 marked a pivotal moment in incorporating data on unpaid household and caregiving labor into the economy, with a specific focus on gender dynamics. According to the report, women across the nation devote nearly five times more hours than men to unpaid domestic and caregiving tasks. Such disparities have the potential to perpetuate gender inequalities and impede women's empowerment efforts.
62. The final draft of the National Care Policy 2024 has also been developed. The Policy seeks to enhance employment policies that create favorable conditions for the participation of women and girls in the workforce.
63. The Employment Act (Cap. 226) and the Regulation of wages and conditions of Employment Act (Cap. 229) make rules governing wages, leave and rest, health and safety, the special position of children and women and termination of employment. The Employment Act 2012, article 29, provides paid maternity leave that lasts 90 days at 100 percent pay to enable the women to breastfeed their babies exclusively and paid paternity leave for 14 days.

### **Gender-Responsive Budgeting (GRB)**

64. In order to realize the sustainability of interventions aimed at accelerating gender equality, adequate resource should be allocated and implementation monitored. Towards this end, the Government has established the Control of Budget Management Information System (COBMIS) which provides evidence of progress on strengthening financial systems to track and make public allocations to gender equality and empowerment of women and girls. In 2023, the needs assessment, design, and implementation of the (COBMIS) was finalized by the Office of Controller of Budget in partnership with UN Women and UNICEF.
65. The government also established the Standard Charter of Accounts (SCOA) system. This is the accounting system used by the National Treasury to improve Public Financial Management (PFM) processes such as allowing consistency between budget allocations and Integrated Financial Management System (IFMIS) codes, facilitating performance accounting and

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integrating recurrent and development activities. The system was updated with gender specific codes to track the gender financing from the allocation by the National Treasury.

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

66. The legal framework put in place includes the Prohibition Against Female Genital Mutilation Act of 2011, National Policy on Eradication for FGM 2019, the National Policy on Prevention and Response to GBV, 2014. Particular interventions targeting social norms and gender stereotypes include the engagement of male cultural, religious and political leaders as key stakeholders in the national action plan to end FGM. In 2022, the government enacted the Children's Act that specifies punishment for those who facilitate or practice FGM. While FGM is on the decline, one in four women were still being cut. On forced, early or child marriage, the Children's Act, 2022 under Article 23 (1) stipulates that no person shall subject a child to female genital mutilation; child marriage; virginity testing and girl child beading.
67. National Industrial Training Authority (NITA) has been instrumental in challenging gender stereotypes by providing training for women to build their capacity for entry into male dominated sectors within the job market by integrating more gender responsive approaches into their processes and programs through; Vocational Training, aligning training with industry needs, offering gender responsive apprenticeships and internships which mitigate the effects of time poverty by providing day care facilities and flexible learning hours. Providing certification and recognition: that allow for formal recognition of women's expertise, promotion of technical careers stimulating women's interest in technical careers for transformation of gender-neutral attitudes. The Model Gender Mainstreaming Policy for Technical and Vocational Education and Training (TVET), 2023 provides a roadmap towards gender mainstreaming in TVETs.

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

68. This section covers progress across the 12 critical areas of concern of the Beijing Platform for Action. To facilitate the analysis, 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.

### A) 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

#### Actions the country has taken to advance gender equality in the world of work (including informal and non-standard employment as well as entrepreneurship).

69. The Employment Act, 2012 makes provision for paid maternity leave of three months and paternity leave of two weeks. It also prohibits termination of employment on account of pregnancy. The Employment (Amendment) Act, 2021, introduced pre-adoptive leave, providing employees with time to bond with their prospective adopted children, promoting family bonding and adjustment processes. Kenya is in the processes of ratifying ILO convention 189 and 190 to increase protections for women in employment.

#### Policy Strategy

70. **The National Policy on Gender and Development 2019** sets legislative and administrative measures to address the existing gaps in key thematic areas including labour and employment. **The Women Economic Empowerment (WEE) Strategy 2020-2025** seeks to address the

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challenges of poverty, inequality, governance and inadequate skills to ensure that women achieve sustainable growth to transform their lives.

### **Programmes and Institutional interventions.**

#### **71. Economic Empowerment Programs**

- i) Affirmative Action Funds which provide accessible and affordable credit facilities to support women entrepreneurs and marginalized groups;
- ii) Hustler Fund: A digital financial inclusion scheme designed to improve financial access for personal or household, micro, small, and medium-sized enterprises (MSMEs) it provides affordable credit; competitive savings and pension products; comprehensive insurance solutions; access to affordable housing and market linkages to people at the bottom of the social pyramid; and;
- iii) Access to Government Procurement Opportunities (AGPO): AGPO reserves 30 percent of government procurement opportunities for women, youth, and persons with disabilities).

#### **72. Capacity Building and Training:**

- i) **Training Programs:** Financial Inclusion, Entrepreneurship and Financial Management Training, Ajira Digital Training, Value Addition Training and Women in Political Leadership Training.
- ii) **Mentorship Programs:** Internship programs with quotas for women in the Public Service Commission, Emerging Leaders Fellowship Program by the Public Service Commission developed in partnership with emerging public leaders, Kenya Private Sector Alliance (KEPSA) women in business mentorship programs, Standard Chartered Women and Youth Mentorship and Training program, Wings to Fly scholarship and mentorship program, KCB Foundation Scholarship, Safaricom Foundation Scholarship, Wezesha Foundation Program.

#### **73. Public Awareness Campaigns:**

- i. Trailblazers award to recognize contribution and the milestones achieved in various fields towards GEWE for individuals and institutions;
- ii. Maisha ni Digital Campaign by Safaricom to encourage women to work in the digital space;
- iii. Media Campaigns: ‘Mwanamke Bomba’ profiles and highlights successful women in various sectors as positive role models; and,

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- iv. Women@Work Campaign (W@W) by HIVOS on women's freedom to work and unmasking sexual harassment at the workplace.
74. With regard to persons with disabilities, a report on status on inclusion of persons with disabilities by State Department of Social Protection indicates that women with disabilities are more likely to be discriminated at work place and recommends *development a national strategy to address intersectional discrimination of women and girls with disabilities and partner with stakeholders to increase awareness and funding towards tackling gender issues faced by women and girls with disabilities, including violence and access to family planning. Further the Persons with disabilities Act 2003 under review will enhance PWDS rights by affirming that women with disabilities have the right to enjoyment of human rights and fundamental freedoms without discrimination on an equal basis with others, including the right to participate in social, economic and political decision-making and other related activities. Additionally full development, advancement and empowerment. The bill also protects women with disabilities gender-based violence.*

**Actions the country has taken to recognize, reduce and/or redistribute unpaid care and domestic work, promote work-life and family balance and strengthen the rights of paid care workers.**

75. Kenya undertook the National Care Needs Assessment in 2021 to assess the care situation provided by households, the state and non-state actors. Additionally, for the first time, Kenya through the National Bureau of Statistics undertook a Time Use Survey in 2021. This marked a pivotal moment of incorporating data on unpaid household and caregiving labor into the economy, with a specific focus on gender dynamics. According to the report, women across the nation devote nearly five times more hours than men to unpaid domestic and caregiving tasks. Such disparities have the potential to perpetuate gender inequalities and impede women's empowerment efforts. It is also expected that finalization and implementation of National Care Policy 2024 (currently in draft form) will enhance employment policies that create favorable conditions for the participation of women and girls in the workforce.
76. The Employment Act (Cap. 226) and the Regulation of Wages and Conditions of Employment Act (Cap. 229) make rules governing wages, leave and rest, health and safety, the special position of children and women and termination of employment whilst the Employment Act 2012, provides for paid maternity leave that lasts 90 days at 100percent pay to enable the women to breastfeed their babies exclusively and paid paternity leave for 14 days.

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77. Pilot projects have been initiated at the county level, for instance, in Busia child care facilities have been established thus providing women traders an opportunity enable women traders to get support for the care of their children as they pursue their income-generating activities.
  78. OXFAM Kenya has set aside \$4.9 million from the Government of Canada and \$231,000 from OXFAM Canada, to each over 5,000 people including 4,451 women in Kenya for a project that will increase the adoption of gender-equitable social norms around both paid and unpaid care work, strengthen the competencies of paid care workers to advocate for and claim their rights, and increase the implementation of gender-transformative legislation, policies, and practices that support paid and unpaid care work in Kenya.
  79. The Kenya Private Sector Alliance (KEPSA) is implementing a private sector gender mainstreaming policy aimed at closing the gender pay gap and supporting female entrepreneurs within the sector. Further, through the Better Business Practice for Children initiative, the private sector is promoting a conducive work environment for women with children by establishing child care facilities such as crèches and day care centers within the workplaces. Among the private sector organizations with such facilities include; Safaricom PLC, Kakuzi PLC, Oserian Flower Farm, Red Lands Roses PLC, and Finlays Horticulture Kenya Ltd among others.

#### **Actions the country has taken to reduce the gender digital divide.**

The Government of Kenya measures are anchored four key areas for ICT development which include Mobile, Market, Skills and Innovation, and Public Service Delivery.

80. **Legal and Policy Frameworks** put in place include: The Kenya Information and Communication Act, 2013, Access to Information Act, 2016, Data Protection Act, 2019, The National Broadband Strategy, and the Computer Misuse and Cybercrime Act, 2018 promote connectivity, availability, accessibility, affordability and utilization of technologies. The digital divide between men and women in Kenya has significantly reduced over time. The Kenya Population and Housing Census 2019 indicates that that 47.3 per cent of individuals aged 3 years and above owned a mobile phone. The proportion of individuals aged 3 years and above who own a mobile phone is slightly higher for men, 47.6 percent as compared to women, 47.0 per cent.
81. **Digital Economy:** The government, through the ICT Authority, is implementing free Wi-Fi internet connections in public spaces as part of the digital acceleration programme and plans to roll out, through The Last Mile Connectivity Infrastructure, by installing over 25,000 free public

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Wi-Fi hotspots across the country. This initiative will enable Farmers Markets, mainly women access internet with ease.

82. The government has also rolled out 1,450 digital hubs dubbed ‘Jitume’ and harness skills in a bid to create over one million online jobs for the country’s youth. The government has so far established 188 Jitume Hubs nationwide in all Technical Vocational, Education and Training (TVET) Institutes to create jobs through digital upskilling. Out of these hubs, 74 have been launched within a year (My-gov paper issue of 12<sup>th</sup> April 2024).
83. **Public Private Partnerships:** KEPSA has undertaken several initiatives aimed at contributing to the growth of the digital economy as follows:
- i) Implementing the Ajira Digital Project by training 350,000 youths on digital skills and connected 195,000 of those trained to digital related Jobs. 53percent of these beneficiaries are young women. Through this 121 Ajira Youth Empowerment Centres (AYECs) have been established at the constituency levels;
  - ii) KEPSA through the Digital Skills and Employment Advancement Program (DSEAP) has trained 13,500 young individuals on digital skills, provided labour market information to over 200,000 young people, and facilitated internships for approximately 1,300 young individuals. Further, this initiative targets to roll out AI skilling, cybersecurity, and sustainability skills benefitting over 50,000 young Kenyans;
  - iii) Implementation of E-commerce Booster programs. As part of this initiative, 2,605 SMEs were trained on digital marketing and on-boarded onto various e-commerce platforms; and,
  - iv) KEPSA Partnered with Safaricom PLC to conduct a quota; Building a Strong Brand in the Digital Era that targeted over 30 women SMEs.

## Education

84. The government has established a dedicated Ministry of Information, Communications and Digital Economy to facilitate universal access to ICT infrastructure and services and position Kenya as a globally competitive knowledge-based economy. Technology has been mainstreamed in the delivery of curriculum at all levels of education. For example, the Kenya Institute of Curriculum Development (KICD) has developed the education cloud and the Open University online.

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85. ICT infrastructure in schools has been enhanced through provision of computers, internet connectivity and other ICT equipment. So far 1,180,669 digital devices have been distributed to primary schools, 22,938 primary schools have power connectivity, 389 primary schools and over 100 secondary schools have internet connectivity and 12,543 computers have been distributed to 1189 secondary schools during the FY 2021/2022. To improve access to education, retention and transition for learners with disabilities, the government has facilitated production, procurement and distribution of specialized learning resources, assistive devices and learning technologies by allocating KES 2,300 per learner.
  86. The government has operationalized the use of digital technology and innovation in public service delivery and public information dissemination. The digitization of government services on the e-Citizen Portal marks a monumental shift towards efficient service delivery, transparency, and citizen empowerment.
  87. Some of the challenges faced in developing the digital economy in the country is the limited and weak network coverage in the villages and far flung areas which disadvantages access to information especially for school going children and women. Indigenous people also face challenges to access to information, financial services and credit due inability to access ICT services as well as exploitation by media to access information for their own use.

**How the macroeconomic and fiscal policy environment affected the implementation of the BPfA in the country, and the macroeconomic policies the country implemented in support of a more gender-equal economy.**

Over the past two decades, Kenya has made progress in mobilizing both public and private resources to advance gender equality and bridging the gender gap through various initiatives.

88. Under the Public Finance Initiatives, Kenya adopted Gender Responsive Budgeting (GRB) practices to ensure that public financial management systems address gender disparities. The national budget increasingly reflects allocations targeted at women's health, education, and economic empowerment programs. For instance, the National Treasury and Planning regularly publishes gender budget statements to outline expenditures aimed at improving gender equality outcomes.
89. Affirmative Action Funds are also contributing towards a gender equal economy: The Government of Kenya development budget consists of allocations to various Semi-Autonomous Government Agencies (SAGAs) which include the Women Enterprise Fund, Uwezo (Empowerment) Fund, and National Government Affirmative Action Fund for Socio-Economic Empowerment of women, youth, PWDs and other vulnerable members of the society. The

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approved budgetary allocations to these for the FY 2020/21, 2021/22 and 2022/23 was Kshs. 3,342.51M, Kshs. 3,620.97M and Kshs. 3,945.66M respectively.

90. 50 million Women Speak Platform: This is a virtual platform intended to empower millions of women in Africa to start, grow and scale up businesses by providing a one-stop shop for their specific information needs. As of August, 2023, Kenya had registered 127,457 women on this platform, the highest number in the region.
91. Access to Government Procurement Opportunities (AGPO): Through this programme, women, youth and persons with disability have been awarded government tenders. The amount awarded as tenders to women has been increasing from Kshs. 15,547.2 million (USD 98.4 Million) awarded in 2018/2019 YF, to Kshs. 22,614.5 million (USD143.1 million) for the 2021/22 FY and an expected amount of Kshs. 24,876.0 million (USD157.4 million) for 2022/23 (KNBS, 2023).
92. Through the Control of Budget Management Information System (COBMIS) , progress has been made to strengthening financial systems to track and make public allocations to gender equality and empowerment of women and girls. In 2023, the needs assessment, design, and implementation of the Control of Budget Management Information System (COBMIS) was finalized by the Office of Controller of Budget in partnership with UN Women and UNICEF under the UN Joint Devolution Programme (UNJDP).
93. The Standard Charter of Accounts (SCOA) system, has also been crucial as an accounting system used by the National Treasury to improve public financial management (PFM) processes such as allowing consistency between budget allocations and integrated financial management system (IFMIS) codes, facilitating performance accounting and integrating recurrent and development activities. The system was updated with gender specific codes to track the gender financing from the allocation by the national treasury in partnership with UN Women and UNICEF.
94. The LPO Financing Programme has also supported businesses for Persons with Disabilities (PWDs) that are registered under the Access to Government Procurement Opportunities (AGPO) programme to finance LPOs, LSOs and Contracts awarded by Government procuring entities. Over the last two years, 119 businesses owned by Persons with Disabilities were awarded tenders worth Ksh. 500,000 each. Nonetheless, the programme has been facing some challenges key among them:

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- i) Provision of loans not exceeding Kshs. 500,000 resulting from limited budgetary allocations from the National Treasury, which locks out many companies with orders requiring amounts above Kshs. 1 million; and,
  - ii) Low awareness among PWDs on AGPO tendering laws, processes and procedures, which has resulted in low uptake of AGPO.

### Private Sector Engagement

- 95. Banking Agents contracted by financial institutions or mobile network operator's process clients' transactions include **Co-op Kwa Jirani agent, Equity Bank agent, Family Bank Pesa Pap** and **KCB Mtaani**. These agents have greatly improved financial inclusion in Kenya due to their strategic locations at the community levels such as markets where most women are found.
- 96. **Various financial products and services targeting women include:**
  - i) **Queen Banking by Family Bank:** Family Bank unveiled an exclusive woman banking proposition dubbed '**Queen Banking**' and set aside KES 50 billion kitties for the next 2 years to cater for the diverse individual and business needs of women to promote women's economic empowerment and deepen financial inclusion in Kenya. **Queen Banking** caters for the needs of three types of women, namely the **Woman in Business**, the **Professional Woman** and the **Chama Woman**. The product is exclusive to businesses with at **least 51 per cent of the shares controlled by women or 100 per cent owned by women, businesses where women constitute more than 30 percent of the board or more than 25 percent of senior management or businesses that have products or services specifically geared to benefit women;**
  - ii) **Msamaria Women's Loan by Cooperative Bank:** Offers financial empowerment to women who are seeking working and investment capital. Features of the loan include: The Msamaria Women Loan Product features are as follows: Flexible Working capital loans for operational & investment expenditure, Unsecured Limits from **Ksh. 5,000.00** of up to **Ksh.10Million** with a repayment period of 24 months, empowerment training and networking forums, Insurance Package Benefit- Femina Medical Cover, Critical illness cover, Personal Accident cover, Death and Permanent Total Disability; and,
  - iii) **Stanbic Bank Dada:** The bank rolled out a women's proposition, *DaDA* aimed at championing women's empowerment. Over **29,000 women** have been signed up and over **10,000 women** have undergone capacity building offered capacity building on entrepreneurial skills.

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97. Corporate Social Investments (CSI): KEPSA recruited thirty (30) industry gender champions in order to reinforce gender mainstreaming across various sector boards. KEPSA Foundation also developed a Private Sector Policy to guide companies in adopting and implementing gender responsive workplaces. Through this initiative, over 1000 private sector companies have been sensitized, leading to the establishment of lactation stations by more than 100 companies.
  98. The International Finance Corporation (IFC); Absa Bank Plc, Safaricom Plc, Kengen Plc, Unilever Plc, BIDCO Africa Ltd, and Tropical Brands Africa Ltd in partnership with World Bank's private equity fund, among others, are implementing *Sourcing2Equal Kenya initiative* to bring on board over 1,300 women led SMEs to corporate procurement opportunities.
  99. Safaricom, a leading telecommunications company, has robust programs supporting women in technology and entrepreneurship. Safaricom Women in Technology (WIT) programme is dedicated to inspiring women from different backgrounds to advance their careers from classroom to boardroom.

### **National Policy Frameworks**

100. Kenya is currently implementing the fourth Medium Term Plan for the Country's Vision 2030: The Plan is aligned with the Bottom-Up Economic Transformation Agenda (BETA) which prioritizes women's economic empowerment, the realization of the 2/3 gender principle of the constitution, strengthening gender desks at police stations, enhance funding of Anti-FGM Board and legislation and free sanitary towels programme. This economic strategy recognizes the significance of women's economic empowerment in fostering equitable development and offers support through access to finance, markets, skills development, and entrepreneurship.
101. The National Policy on Gender and Development (Sessional Paper No. 02 of 2019) Under labour and the economy, outline measures required to eliminating discrimination in access to employment, promotion and training, and including equal remuneration to enhance income security.
102. The Employment Act (2012). provides for protection from all forms of discrimination sex, disability, pregnancy in employment (recruitment, training, promotion, retention, termination) and the enjoyment of the rights to work within favourable work conditions.
103. Monetary and Trade Policies: The Central Bank of Kenya (CBK) has implemented measures to improve women's access to financial services. The promotion of mobile banking platforms, like M-Pesa, has been transformative, providing women with greater control over their finances and the well-being of their families. Within the region, The East African Community (EAC) **Treaty**, emphasizes the role of women in trade and economic development. Additionally, the **African**

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Continental Free Trade Area (AfCFTA) agreement, which Kenya is a part of, includes provisions aimed at empowering women traders and entrepreneurs.

### **Effects of Fiscal Consolidation and Austerity Measures**

104. On resource allocation by the government, the Percentage of the national budget allocated to the State Department for Gender and Affirmative Action and the National Gender and Equality Commission has remained low at 0.19 percent in 2019/2020, 0.14 percent in 2020/2021, 0.13 percent in 2021/2022 and 0.12 percent in 2022/2023 and 0.14 in 2023/2024. Budget cuts have been effected across all Government Ministries and Departments due to austerity measures. Through partnerships, the gender machinery has benefitted from grants amounting to USD. 176,415 (Kshs. 23 million) from UNFPA and USD 4.8 Million (Kshs. 640 million) from the Government of Finland, for a 3-year program while the UN Women contributed USD. 360,288 (Kshs. 46,972,322.40) in the form of a grant through a one- year agreement which ended on 30<sup>th</sup> June 2023.

## **B) 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

### **Actions the country has taken to reduce/eradicate poverty among women and girls.**

105. In 2020, statistics indicated that approximately 20.9 million Kenyans lived in abject poverty, representing 42.9 percent of Kenya's population. Poverty trends indicate that women living in rural areas have higher poverty rates compared to their urban counterparts at 38.0 percent and 29.7 percent respectively. In 2021, the overall poverty headcount rate for individuals at the national level was 38.6 percent (40.7 percent in rural areas and 34.1 percent in urban areas).

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These fluctuations in poverty levels highlight the complex and dynamic nature of poverty in Kenya. According to the KDHS report 2022, households in Kenya have an average of 3.7 members. Women head 34percent of Kenyan households of which 37percent of the female headed households were living in absolute poverty compared to 35percent men-led households.

There are various Legal, Policy, and Programmes in place aimed at empowering women and increasing their participation in the country's development in all sectors. These are as follows:

106. **Legislative provisions:** Kenya has enacted and is implementing legislation to advance gender equality and women's empowerment and promotes, enforces and monitors equality and non-discrimination. Critically within land and property rights the following Acts have been instrumental; These include the Succession Act, 2018; The Land Registration Act (2012); 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. Other acts affecting other relevant areas include: Protection Against Domestic Violence Act (2015); The Prohibition of Female Genital Mutilation Act (2011); Climate Change Act (2016); Health Act, 2017; SACCO Societies Act No. 14 of 2008; The Basic Education Act (Revised 2018); among others. Additionally, the National Land Commission Act 2012 and the Land registration Act 2012, entrench principles of gender equality in access to land and enshrine the rights of women to own land and property.
107. **Policy Frameworks include:** National Policy on Gender and Development, 2019 which promotes equal opportunities and reduce inequalities of outcome, The Education and Training Sector Gender Policy (2015). The policy addresses gender disparities by investing in public education systems and infrastructure, eliminating discriminatory laws and practices, providing universal access to inclusive, equitable and quality education, including free and compulsory primary and secondary education, promoting lifelong learning and training opportunities for all, eliminating female illiteracy and promoting financial and digital literacy. Further, the Kenya Private Sector Alliance Gender Mainstreaming Policy in 2022, provides guidance to the private sector programs, policies, and initiatives thus contributing to elevating women out of poverty through enhancing their potential in employment and entrepreneurship. The Women Economic Empowerment Strategy (2021-2025) addresses the challenges of poverty, inequality, governance and inadequate skills to ensure that they achieve rapid and sustained growth to transform their lives.

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## Financial Inclusion strategies and programmes

108. In Kenya, the Micro, Small and Medium Enterprises (MSME) sector employs 85 percent of the workforce and towards this end, the Government has therefore focused on supporting and enhancing the sectors ability to contribute to the economic transformation of the country through the Bottom-up Economic Transformation Agenda (BETA). One strategy is through the digital financial inclusion, the Hustler Fund. Launched in 2022, the fund is intended to cushion and mitigate financial shocks for the informal sector which accounts for more than 80 percent of the population by providing affordable credit to Kenyans especially those at lower end of the economic pyramid. The fund has disbursed Kshs. 54.9 billion to 21.87 million Kenyans and mobilized Kshs. 3.1 billion in savings. With regard to MSMEs and groups, 673, 340 groups have been registered and benefitted from the fund which has disbursed Kshs. 3.1 billion with savings amounting to Kshs. 9.3 million (Government Delivery Unit, August, 2024). These funds assist women reinvest in their businesses, families and communities producing multiple effects that spur economic growth.

The other on-going programmes that seek to cushion women from poverty through various Affirmative Action Funds include the following.

109. **The Women's Enterprise Fund (WEF)** continues to provide access to affordable credit and business support services to women entrepreneurs to start and/or expand business for wealth and employment creation. Between 2020-2023 1,811 women have been trained on financial literacy, 1,786 women entrepreneurs linked to large enterprises 7.732 Billion disbursed to women Group, Additionally, KSH 124.5 million was disbursed to women entrepreneurs through SACCOs, KSH 51.66 million disbursed to women entrepreneurs through LPO financing and KSH 36.55 million disbursed to widows through the Thamini loan product.
110. **The Uwezo (Empowerment) Fund** disbursed loans amounting to USD 4,112,452.82 Kshs. 544.9 million to 5,585 groups of youth, women and Persons with Disabilities and trained 94,935 individuals on entrepreneurial skills during the implementations period 2020/2021 to 2022/2023.
111. The **National Government Affirmative Action Fund (NGAAF)**. During the same period, 94,755 vulnerable students benefited from Bursary and Scholarships, 5,981 groups were supported with grants for socio-economic empowerment and 2,905 groups funded for value addition initiatives.
112. Overall, the Affirmative Action funds mentioned above increased by 38.7 percent from Kshs. 3.1 billion in 2022/23 to Kshs. 4.3 billion in 2023/24. The total amount disbursed to beneficiaries

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through the affirmative funds is projected to increase by 73.3 percent from 3.0 billion in 2022/23 to 5.2 billion in 2023/24.

113. **Access to Government Procurement Opportunities (AGPO)** ensures that 30 percent of all public procurement in every financial year is allocated to women, youth and persons with disabilities. The amount awarded as tenders to women has been increasing from Kshs. 15,547.2 million (USD 98.4 Million) in 2018/2019 Financial Year to Kshs. 24,876.0 million (USD 157.4 million) in the 2022/23 Financial Year. (KNBS, 2023). The amount is expected to increase by 11.0 per cent from Kshs. 84.3 billion in 2022/23 to Kshs. 93.5 billion in 2023/24 (Economic Survey, 2024).

The Government has also recognized caregivers for Persons with Disability who are mostly mothers by allowing those running a business to be exempted from taxes.

**Gaps on women’s economic empowerment:**

114. Despite the introduction of the Affirmative action fund, the process remains cumbersome when it comes to applying for the funds. Over-taxation of sanitary products has made it harder for women to access the commodities. Lack of disability-friendly sexual reproductive health (SRH) services in government hospitals and facilities non-functional modern markets that were built as well as lack of proper channels to address water shortages.
115. Even with the existence of laws and policies on property rights such as the community land act of 2016, the rights to ownership of land and resources by women from certain communities especially indigenous societies including the Maasai are yet to be realized.

**116. Lessons Learnt**

- i) There has been expansion of trade and market access for produced and manufactured products;
- ii) Monitoring and evaluation of impact, including evidence generation and data collection, including regarding particular groups of women and girls;
- iii) Improved legislative and policy environment in line with international and regional standards on poverty has witnessed progress in efforts to reduce poverty;
- iv) Consolidation of political goodwill, commitment and stability is an enabling environment for involvement and use of factors of production;
- v) Supportive multi-lateral and bilateral development partners contribute immensely to poverty eradication; and,
- vi) Access to more affordable modern technology is needed for the comprehensive and coordinated access to factors of production.

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## Actions the country has taken to improve access to social protection for women and girls.

117. According to **Medium Term Expenditure Framework (MTEF) 2020/21 - 2022/23**, the Social Protection, Culture and Recreation Sector disbursed cash to 756,485 older persons; 38,118 households with persons with severe disabilities (PWSDs); and 278,188 Orphans and Vulnerable Children (OVCs); Empowered 167,797 Community Self-Help Groups through mobilization, registration, and capacity building, linked 139,822 groups to Micro-Finance Institutions (MFIs) for financial support; registered and issued 120,929 PWDs with disability cards; granted tax exemption certificates to 5,533 PWDs; supported 10,291 PWDs with assistive devices against a target of 12,000; provided scholarships to 7,550 learners; rescued 10,149 street persons, against a target of 8,500; supported 66,900 Orphans and Vulnerable Children (OVCs) with Presidential Secondary School education scholarships in the review period.
118. The budgetary allocation for the sector increased from (Kshs. 53,026.08 million) in 2020/21 to Kshs. 69,151.94 million in 2021/22 and Kshs. 64,550.15 million in 2022/23 financial years respectively. The actual expenditure for the period was Kshs. 51,910.79 million and Kshs.64,502.68 million and Kshs. 59,226.09 for the 2020/21, 2021/22 and 2022/2023 financial years respectively.
119. Specifically, between 2022 to 2024, through the Inua Jamii Programme, there was 66percent increase in the number of older persons receiving cash growing from 732,914 to 1,215,343; 34 percent increase in the number of registered Persons with Disabilities rising from 44,603 to 59,637 : 65percent increase in the number of households with orphans and vulnerable children receiving cash transfers rising from 259,654 to 428,421; 219percent increase in the number of children who have accessed support through the child help toll-free line 116 from 41,213 to 131,276 ( Government Delivery Unit, August, 2024).
120. Formulation of the Kenya Social Protection Policy, 2024 which adopts a life cycle approach to social protection and embraces integrated and complementary programming as well as shock-responsive social protection interventions. It has informed development of the social protection bill 2024. A Social Protection M&E Framework has also been established to guide engendered reporting on Social Protection (SP) and roll-out of more targeted SP interventions.
121. The National Council for Children Services has been strengthened by elevating it into a fully-fledged Semi-Autonomous Government Agency mandated to regulate, coordinate, and oversee children services in Kenya and advise the government on all matters relating to children.

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122. Rollout and implementation of integrated Social Protection Programme, Kenya Social and Economic Inclusion Project (KSEIP) 2018-2023 by the government with the support of World Bank. The project aims to move beyond cash transfers by promoting social and economic inclusion of the poor and vulnerable and delivering them a variety of complementary services. It has three components:
- i) Strengthening Social Protection Delivery Systems: This component will continue to support advancement of systems put in place under the ongoing National Safety Net Program (NSNP);
  - ii) Increasing Access to Social and Economic Inclusion Interventions: The component will support the government to enhance the existing referral mechanism for enrolment of the NSNP beneficiaries in NHIF; invest in the design and delivery of new customized services for the poor and vulnerable, including the expansion of existing successful pilots in Kenya for Economic Inclusion (EI) and Nutrition Improvement through Cash and Health Education (NICHE); and,
  - iii) Improving the shock-responsiveness of the Social Protection System: This component is providing continued support to the National Drought Management Authority (NDMA) for implementation and expansion of the Hunger Safety Net Program (HSNP).
123. Expansion of non-contributory Social Protection Schemes for universal coverage along different categories of the population such as children, the elderly, PWDs and other vulnerable groups. The Government has committed to increase coverage of poor and vulnerable households under the Inua Jamii Programme from the current 1.2 million to 2.5 million by 2025.
124. Establishment of a social registry for social protection that provides disaggregated data promoting gender and shock responsive social protection including facilitating the transition from informal to formal work. The social registry currently covers 24 counties and is expected to reach national coverage of 47 counties by June 2024. It contains data for vulnerable households and is expected to guide the roll-out of SP interventions.

### **Persons with Disabilities**

125. According to the 2019 National Housing and Population census, the population of Persons with Disabilities (PWDs) above the age of 5 years stands at 918,270. This constitutes about 2 percent of our population. Kenya has been working on the review of the Persons with Disabilities Act, 2003, to align it with the constitution of Kenya, the Convention on the Rights of Persons with Disabilities, and the realities of the present times. The Persons with Disabilities Bill, 2023 has been developed and when passed into law it will transform the disability agenda in our country.

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The Disability Awareness Creation Booklet has been published as a resource book for awareness creation on disability.

126. The President's commitment to scale up the Inua Jamii Cash Transfer programme has listed about 137,119 Persons with Disabilities, who will be subjected to further checks to ensure they meet the eligibility criteria for the Persons with Severe Disabilities Cash Transfer programme. Out of this, a total of 28,152 households with severe disabilities will be enrolled to the programme as replacements or scale ups.
127. Implementation of the 5 percent employment reservations for persons with disabilities in public sector; and the affirmative action under the Access to Government Procurement Opportunities (AGPO) where 30 percent of government tenders are reserved for PWDs, is another milestone in ensuring the inclusion of PWDs in development through economic empowerment. The Public Service Commission Reports on National Principles and Values (2022) put the percentage of persons with disabilities employed in the public service at 1.4 percent of the staff in the service.
128. Further, the government provides technical skills to persons with disabilities in 12 Vocational Rehabilitation Centres across the country. The graduates of these centers are provided with relevant business start-up toolkits to enable them to engage in income generating activities for self-reliance and independent living. Every year, the centres train approximately 700 people in information communication technology, electrical installation, fashion and design, among others.
129. The Kenya Disability Inclusion Conference held on 28<sup>th</sup> and 29<sup>th</sup> November 2023 brought together over 200 participants, majority of whom were persons with disabilities, from the County and National level. Its aim was to disseminate the Global Disability Summit Commitments and engage stakeholders at National and county levels to adopt and strategize the implementation of the commitments. During this conference, the National Action Plan on the implementation of Global Disability Commitment 2022-2025 was unveiled.
130. The government in collaboration with various organizations for persons with disabilities, continues to provide appropriate assistive and mobility devices to persons with disabilities through the National Council for Persons with Disabilities (NCPWD). In addition, the National Fund for the Disabled of Kenya supports an average of 3,000 persons with disabilities annually with assistive devices and tools of trade aimed at facilitating their inclusion and economic empowerment through startups. The Fund has also implemented over 200 infrastructural projects in various 11 institutions of learning across the country. This has resulted in increased enrolment and retention of learners with disabilities as well as enhancing their learning experiences.

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131. In collaboration with the Kenya National Bureau of Statistics, and Organizations of and for PWDs among other stakeholders undertook a support needs assessment for persons with disabilities and their primary caregivers in March 2022. The main objective of the assessment was to provide evidence on the met and unmet support needs of the diverse persons with disabilities and their family members to inform the design of inclusive social protection schemes. The government is working with partners to implement the various recommendations in the report.
  132. Another milestone in the disability fraternity is of the registration of persons with disabilities on **eCitizen** in line with the Government directive to digitize public services to enhance service delivery and efficiency. The development of the National Council for Persons with Disabilities (NCPWD) Career Portal made it easy for persons with disabilities to meet potential employers. Additionally, the government provides the following **tax exemption** to persons with disabilities- payee up to (**Kshs. 150,000**), business permit waivers, and vehicle tax exemption.

### **Actions the country has taken to improve health outcomes for women and girls.**

The government has put in place robust policies, strategies and programmes aimed at enhancing the health of Kenyans in general including women and girls.

133. The Policy Framework contributing towards the realization of positive health outcomes for women and girls include:
  - i) **The Community Health Policy and the Sessional Paper No. 2 of 2017** on the Kenya Health Policy 2014-2030 which specifically ensures free maternity services. Introduced in 2013, the programme known as Linda Mama has contributed to better maternal health outcomes. For instance; the percentage of live births assisted by a skilled provider increased markedly over the past two decades, from 41 percent in 2003 to 89 percent in 2022 (KDHS, 2022). Additionally, the number of deliveries in health facilities increased from 1,243.1 thousand in 2021 to 1,249.9 thousand in 2022 accounting for 82.0 per cent of total deliveries in 2022 (Economic Survey, 2023);
  - ii) **Kenya Community Health Policy 2020-2030:** The goal of this policy is to empower individuals, families and communities to attain the highest possible standard of health. Specifically, the policy focuses on strengthening community health service across all the health domains. The Government has prioritized provision of primary health care including a focus on Community Health Promoters at the community level. This is in order to shift the focus of health sector investment to preventive and promotive health care. The Community health promoters are at the forefront of disseminating vital

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- information on nutrition, hygiene, and disease prevention. By addressing health challenges at their roots, these promoters contribute significantly to reducing the burden on the healthcare system and enhancing the overall quality of care. For instance, the vaccination coverage rate for basic antigens has had a sustained upward trend since 2008–09, with coverage in 2022 at 80percent. At the county level, Vihiga has the highest percentage of children age 12-23 months who are fully vaccinated for basic antigens (96 percent), while Garissa has the lowest (23 percent), (KDHS, 2023);
- iii) **The Kenya Health Sector Policy (KHSP) 2012 – 2030** focuses on ensuring equity, people centeredness and participatory approach, efficiency, multi-sectoral approach and social accountability in delivery of health care services;
  - iv) **The Health Act, 2017** protects and promotes the health rights of all persons in Kenya including rights of children, basic nutrition and health care services, and rights of women and other vulnerable groups. Section 6 (1) (b) of the Act protects the right to access appropriate reproductive healthcare services for all Kenyans, including women and girls;
  - v) **Kenya’s Digital Health Act, 2023** serves as a comprehensive framework to leverage technology to enhance various aspects of healthcare services in Kenya. By establishing standardized systems and improving coordination across healthcare organizations, the Act promises to enhance accessibility within the healthcare system, a crucial step towards achieving Universal Health Coverage (UHC);
  - vi) **The National Adolescent Sexual Reproductive Health (ASRH) Policy 2015**, is aimed at promoting adolescent Sexual and Reproductive Health and Rights (ASRH), Additionally, there is an Action Plan for Addressing Adolescent Health and Teenage Pregnancy in Kenya which guides implementation of adolescents and health programs in a multi-sectoral approach;
  - vii) **The Kenya Mental Health Policy 2015-2030** provides for a framework on interventions for securing mental health systems reforms in Kenya;
  - viii) **The Kenya Environmental Sanitation and Hygiene (KESH) Policy 2016-2030** provides broad guidelines to both state and non-state actors at all levels to work towards universal access to improved sanitation leading to improved quality of life for the people. Primarily, the KESH policy aims to increase the proportion of the population with access to improved sanitation to 100 percent by 2030 and ensure a clean and healthy environment for all in Kenya; and,

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- ix) The **Menstrual Hygiene Management Policy 2019 - 2030**: Provides an enabling legal and regulatory environment for Menstrual Health Management (MHM) at both national and county levels. It ensures provision of access to information to demystify myths and taboos on menstruation. It ensures access to safe hygienic menstrual products. Establishes a functionally effective monitoring, evaluation, research and learning framework for MHM.

**Other measures that have been undertaken by the government include:**

- i) Provision of free family planning services in government hospitals.
- ii) **Provision of a social health insurance scheme; the National Health Insurance Fund (NHIF)** that aims to cover all Kenyans, ensuring that no one is left behind. Further there is concerted effort towards the digitization of the health ecosystem to improve the portability of data and interconnectivity of health information. The government has made significant efforts to increase insurance penetration to cover both salaried employees and those from the informal sector. In 2022, it was ascertained that one in four persons in Kenya (26percent of females and 27percent of males) have some health insurance (KDHS, 2022). The Government has rolled out key **NHIF reforms** aimed at enhanced efficiencies, improved revenue mobilization and strategic purchasing of services. The development of **Social Health Insurance Act (SHIF), 2023**, established the framework for the management of social health insurance; provides for the establishment of the Social Health Authority and gives effect to Article 43(l) (a) of the Constitution. Further attempts have been made to extend coverage to outpatient services and the micro-insurance market.
- iii) Kenya has adopted a national quality assurance framework; **The Kenya Quality Model for Health (KQMH, 2018)** which provides a pathway through which optimal levels of patient safety can be achieved by use of joint health inspections checklists, which emphasize on risk-based ranking of facilities, and enforcement of an appropriate follow up action. The KQMH tool is used for accreditation and also provides for incentivization of facilities improving the quality of care.
- iv) To prevent new HIV infections, integrated prevention mechanisms have been implemented countrywide. These include structural, behavioral and bio-medical interventions; Voluntary Medical Male Circumcision (VMMC), Prevention of Mother to Child Transmission (PMTCT) and Condom programming). Increased Antiretroviral Therapy uptake, and the development of Policy documents to address stigma and violence towards key and vulnerable populations. **The National Multisectoral HIV**

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**Prevention Acceleration Plan 2023 -2030** provides guidance for accelerating the reduction of new HIV infections. As recommended by Kenya Aids Strategic Framework (KASF) II 2020/21–2024/25 and the Kenya HIV Prevention Revolution Road Map, this plan puts communities at the centre of the response to increase programme sustainability and integrates services with Kenya’s health system to enhance efficiency.

- v) In malaria prevention efforts, the government has continued to distribute insecticide-treated nets (ITNs), implemented intermittent preventive treatment in pregnancy, and scaled up diagnosis and management of malaria cases. Ownership of ITNs per household increased from 49percent in 2020, to 54percent in 2022 (KDHS, 2022).
  - vi) SRHR policies developed by the government have created awareness of cervical cancer and promoted its screening for early prevention and a nationwide campaign initiated to vaccinate girls against the disease.
  - vii) The launch of INCLUSFIT menstrual products for Intersex Persons as well as the enactment of the Intersex Bill that recognizes Intersex as the third gender. During the last Census in 2019, data on intersex persons was captured. Other measures include Investment in research in emerging reproductive concerns such as Endometriosis and Breast cancer.
134. Kenya has registered positive results in promoting good health and well-being. The health outcomes include: decrease in the disease burden by 6.9 percent from 94.3 million in 2021 to 87.8 million in 2022. On maternal and child health the percentage of live births assisted by a skilled provider increased markedly over the past two decades, from 41 percent in 2003 to 89 percent in 2022 (KDHS, 2022). Additionally, the number of deliveries in health facilities increased from 1,243.1 thousand in 2021 to 1,249.9 thousand in 2022 accounting for 82.0 per cent of total deliveries in 2022 (Economic Survey, 2023) in 2023 the deliveries in health facilities dropped by 0.1 percent (1,248,200) Maternal Mortality Ratio also dropped from 362 per 100,000 live births in 2014 to 355 per 100,000 in 2019 (KNBS, 2019).
135. Kenya has made considerable progress in managing its health system, driven in part, by strengthened mechanisms to support data collection and use across the healthcare ecosystem. The Facility Census carried out in 2023 provided baseline information on service availability, readiness of health facilities to deliver services, availability of human resources and health infrastructure across all health facilities and in turn provide a framework to inform investments to address critical gaps in health service availability and readiness.

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136. The National Government total expenditure on health services is set to rise by 33.1 percent from Kshs. 88.2 billion in 2021/22 to Kshs. 117.4 billion in 2022/23. County Governments' total expenditure on health services was Ksh. 108.3 billion in 2021/22 and is projected to grow to Kshs. 109.8 billion in 2022/23. The ratio of National Government expenditure on health to total National Government expenditure is anticipated to rise by 0.7 percentage points to 4.0 per cent in 2022/23.
  137. Healthcare infrastructure has improved with an increase in the number of health facilities by 2.2 percent to 16,517 in 2022. This is mainly due to the increase in the number of level 3 facilities in the same year. Hospital beds increased by 5.0 per cent to 94,925 while hospital costs grew by 4.7 percent to 10,306. Primary care hospitals increased by 68 facilities to 958 accounting for 5.8 per cent of the total facilities in 2022. Secondary care hospitals increased by 2 facilities while the tertiary referral hospitals remained the same at 6 facilities in 2022. The Government was the main owner of primary care, secondary care and tertiary referral hospitals.
  138. There has been an increase in the number of registered health professionals for all cadres. The proportion of registered professionals per 100,000 population remained as it was in 2021 except for pharmaceutical technologists, graduate and registered nurses, diploma clinical officers, public health officers and diploma physiotherapists. The proportion of registered nurses increased from 155 per 100,000 people in 2021 to 161 per 100,000 people in 2022.

## Challenges

139. A key challenge facing Governments' efforts in providing affordable, accessible and quality healthcare services to its citizens is inadequate financing. Kenya's expenditure on health as a percentage of the total government expenditure oscillates between 4percent & 6percent when viewed against the 12 percent recommended in the Kenya Health Sector Strategic Plan, and the 15percent in the Abuja Declaration which Kenya is a party to. The Government, however, continuously endeavors to increase resources towards the health sector as well as creating an enabling environment for investments in the healthcare service delivery ecosystem.
140. Other gaps identified in health include lack of inclusivity for essential commodities to support service provision effectively. Forced sterilization for persons with mental health conditions and Persons with Disability, Strained access to disability cards for Persons with Disability and that unemployed women have limited access to medical services because NHIF isn't a comprehensive cover.

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## Actions the country has taken to improve education outcomes and skills for women and girls, including in sectors where they are underrepresented.

### Education Access and Participation

141. The government increased the budgetary allocation for education from 2019 to 2024, with an anticipated increase of 23.9 percent to Kshs. 689.6 billion in 2023/24 from Ksh. 556.5 billion in 2022/23. This increase is meant to bolster the strategic interventions meant to ensure equity in education and to support increasing numbers of enrolments which have been caused at different levels by the strategic interventions.

### Enrolment, Transition and Retention

142. According to the 2024 economic survey report, enrolment in pre-primary schools increased by 2.0 per cent to 2,885.6 thousand during the review period. Enrolment for both boys and girls increased by 1.2 and 2.7 per cent, respectively. Total enrolment in primary schools decreased marginally from 10,364.2 thousand to 10,241.0 thousand in 2023. Enrolment in Standard 8 dropped by 1.3 per cent to 1,265.9 thousand in 2023, out of which 51.1 per cent were boys. Total enrolment in secondary schools grew by 4.8 per cent to 4,109.5 thousand in 2023 from 3,920.3 thousand in 2022. Enrolment in Form 1 stood at 1,122.1 thousand in 2023, an increase of 14.1 percent from 983.1 thousand in 2022. The growth in enrolment may be attributed to the Government policy of achieving 100.0 per cent transition from primary to secondary education. There was an increase in enrolment of both boys and girls by 5.2 and 4.5 percent respectively, during the period under review.
143. Overall, girls accounted for 51.0 per cent of enrolment in secondary schools in the review period. The number of registered KCSE candidates rose by 2.2 percent to 903,138, with the number of males and females growing by 1.7 percent and 2.7 percent, respectively. The number of candidates who scored C+ and above increased by 15.3 percent from 174,505 in 2022 to 201,142 in 2023. The number of male candidates who scored C+ and above accounted for 11.7 per cent of the total number of candidates. The number of female candidates with C+ and above increased by 24.9 percent to 96,247, while that of male candidates increased by 7.6 per cent to 104,895 in 2023.
144. The gender parity index in Early Childhood Development and Education (ECDE) moved from 0.95 in 2009 to 1.05 in 2021, indicating a transition from a male majority to a female majority over the period. In primary education, there has been an achievement in gender parity in enrolment, with the Gender Parity Index (GPI) being around 0.97. This indicates a slightly lower

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enrolment rate for girls compared to boys. There are slightly more boys than girls enrolled from Grade 1 to Class 6.

145. At the secondary education level, the situation changes. The GPI in enrolment surpasses 1, signifying a higher enrolment rate for girls. This trend has grown over the years, with the GPI reaching around 1.04 by 2022 indicating favorable performance for girls. The GPI in enrolment for university education shows an advantage for boys, but this gap has been decreasing over the years. For example, by 2022, the GPI had increased to around 0.84, indicating reducing gender gap in university enrolment. The Gender Parity Index in secondary school and university is not within the acceptable range of between 0.97 and 1.03.
146. Comparing the transition rate from primary to secondary level education, a higher proportion of girls were successfully moving from one educational level to the next compared to boys. In 2020, both genders experienced a significant increase, with boys at 91.9 percent and girls at 90.0 percent. However, in 2021, there was a considerable drop, with boys at 77.4 percent and girls at 79.5 percent. By 2022, there was a slight recovery, with boys at 76.7 percent and girls at 80.5 percent indicating girls still having a higher transition rate compared to boys.
147. In 2018 the survival rates of both boys and girls in secondary schools from Form 1 to Form 4 was higher for boys at 82.2 percent compared to girls at 81.9 percent. However, in 2019, both genders experienced substantial increases in survival rates, with boys reaching 94.9 percent and girls at 94.55 percent. This trend continued into 2020, with both boys and girls maintaining a high survival rate of 96.4 percent (Ministry of Education, 2021). The survival rate indicates boys and girls who enrolled in the first grade of secondary education in 2017 were able to survive up to the final grade of secondary education at 96.4 percent each. There was parity in survival rates between boys and girls.

## **Training**

148. The Gender Parity Index (GPI) for Technical Vocational Education and Training (TVET) enrolment shows male dominance from 2018 to 2021, with GPI values ranging from 0.76 to 0.80, indicating a larger proportion of male students enrolling in TVET programmes compared to their female counterparts. However, in 2022, the GPI increased significantly to 0.86, indicating an improvement in gender parity because of targeted efforts to encourage and support female participation in TVET. More pertinently The Model Gender Mainstreaming Policy for TVETS, 2023 addresses critical aspects of gender disparities within the TVET landscape providing a roadmap towards gender mainstreaming in TVETs.

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149. National Industrial Training Authority (NITA) has also been instrumental in building women's capacity for entry into the job market by integrating more gender responsive approaches into their processes and programs. Through Vocational Training, aligning training with industry needs, offering gender responsive Apprenticeships and Internships which mitigate the effects of time poverty by providing day care facilities and flexible learning hours. Providing Certification and Recognition: that allow for formal recognition of women's expertise, Promotion of Technical Careers stimulating women's interest in technical careers.
  150. Expansion of TVETs from 52 in 2013 to 238 in 2022, representing a growth of 435 percent at a total cost of Kshs. 10.6 billion has been instrumental in increasing enrolment from 55,945 trainees in 2013 to 318,179 (176,437 males and 141,742 females) in 2022 (representing 469 percent increase); includes through increasing the number of TVET institutions.

### **Education Policy on Gender Equality**

151. The Education and Training Sector Gender Policy (2015) which is under review is the framework for the planning and programming of gender-responsive education at all levels. Implementation of the policy has contributed to the sustainability of women in adult education despite retrogressive cultural practices that hamper access to quality education. According to Basic Education Statistical Booklet 2020; the total enrollment of Adult Education learners dropped by 9.4 percent from 209,082 in 2019 to 189,443 in 2020. Female learners accounted for 66.7percent of the total enrolment in 2020.
152. Kenya is making positive strides towards achieving Education for All (EFA) goals. The government has implemented several interventions to support this goal, including the introduction of Low-Cost Boarding Schools and Mobile Schools in Arid and Semi-Arid Lands (ASALs), the initiation of Free Primary Education (FPE) in 2003, and the introduction of Free Day Secondary Education (FDSE) in 2008.
153. The sanitary towel programme has also been rolled out to ensure continued access to free and quality sanitary towels for girls enrolled in public basic education institutions, addressing menstrual hygiene challenges and promoting gender equality in education. The Sanitary Towels programme to girls in public schools was first launched in 2011 under the Ministry of Education with girls from disadvantaged backgrounds as the beneficiaries. This was necessitated by a 2014 UNESCO report that stated that in Kenya girls lose an average of four days of school a month, which costs them 165 learning days over four years of high school, ultimately affecting their performance and their transition to higher levels of education. The sanitary towel program was first launched in 2011 in the Ministry of Education. The program was transferred over to the Ministry in charge of Gender in 2017. As per reports from the Office of the Auditor general between

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the financial year **2011/12 to the financial year 2021/22** the expenditure for the program was **Kshs. 3.5Billion**. Within the same period, the program also **reached 12.5 million girls**. During the 2023/24 financial year, the programme will benefit **2,293,251** girls in public primary schools and junior secondary schools with a budget of **876,000,000 million**.

#### 154. Lessons Learnt

- i) In the post-COVID-19 period, credible and timely data will be required on the status of learning enablers, including infrastructure such as electricity and broadband connectivity across the country; and appropriate technologies for learners with disabilities and special needs, in order to enhance more inclusive and equitable quality education. This will be useful in decision making and planning by national and county governments, development partners, and other stakeholders. Furthermore, the data will inform targeted interventions in provision of education to vulnerable groups;
- ii) The post-COVID-19 recovery strategies have brought forth new data requirements, and redefined key education indicators on class-size; water, sanitation, healthcare and hygiene (WASH) facilities; and safety in learning institutions, as well as optimal learner-to-teacher ratios, among others;
- iii) Need for continuous capacity building of teachers on gender sensitive pedagogy;
- iv) Adequate funding especially for loans and bursaries is a prerequisite for increased enrolment;
- v) Enhancement of Mobile School coverage is essential to the provision of education in Arid and Semi-Arid Lands;
- vi) The importance of social support networks in ensuring the retention and participation of girls in education and training;
- vii) Addressing gender stereotypes through gender responsive school curricula encourages boys and girls to venture into hitherto stereotypical fields;
- viii) Promoting conducive learning through child friendly infrastructure and pedagogy enhances access and participation of girls, women, men, in education; and,
- ix) Adoption of technology removes barriers to education occasioned by distance and other disruptions.

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**Actions the country has taken to ensure that economic recovery from the COVID-19 pandemic closes gender gaps in poverty, employment, social protection, education, and/or health that the pandemic has exacerbated.**

155. During the COVID pandemic in 2020, the government allocated an additional Kshs. 10 billion to the elderly, orphans and other vulnerable members of our society through cash transfer programme. The budgetary allocation to the social protection sector was Kshs.15 billion in 2021/2022 .Kshs. 1 billion was withdrawn from the Universal Health Coverage kitty for recruitment of additional health workers to support in the management of the spread of COVID-19. The government has sustained the Universal Health coverage momentum by aligning it to Bottom-up Economic Transformation Agenda (BETA) through the following legislative measures:

- i) Primary Health Care Act, 2023;
- ii) Social Health Insurance Act, 2023;
- iii) Digital Health Act, 2023; and,
- iv) Facility Improvement Financing Act, 2023.

To comprehensively facilitate the funding of primary healthcare system, encompassing promote, preventive, curative, palliative, and rehabilitative services, ring-fencing healthcare funds, ensuring the allocation from the National Treasury in collaboration with county governments, creation of an emergency, critical, and chronic illness fund to address such health challenges and provision of Social Health Insurance Fund coverage for all Kenyans.

## **C) 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

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## The forms of gender-based violence, and the specific contexts or settings the country prioritized for action.

156. There are various forms of GBV that are a priority for action to the Government of Kenya, including, Femicide, Intimate Partner Violence (IPV), Female Genital Mutilation (FGM), child and forced marriage, rape, defilement, and other forms of sexual violence. (GBV Policy for forms of violence)
156. **Female Genital Mutilation (FGM):** In Kenya, it is estimated that 15percent of girls and women aged 15-49 years have undergone FGM in 2022. This has been on the decline from 38percent in 1998, 27.1percent in 2008-09 and 21percent in 2014 and 14.8percent in 2022 (KDHS reports). According to a UNFPA report, about 813,159 girls are at risk of being cut between 2015 and 2030. The prevalence is more common among women who live in rural areas, at 25.9percent, than among women who live in urban areas, at 13.8percent.
157. Laws and policies that have been put in place for elimination of FGM include; The Prohibition against Female Genital Mutilation Act of 2011, National Policy on Eradication of FGM 2019, the National Policy on Prevention and Response to GBV, 2014 and the engagement of male cultural, religious and political leaders as key stakeholders in the national action plan to end FGM. Whereas FGM declined (KDHS 2022), one in four women were still being cut, with some regions recording high prevalence rates.
158. **Domestic Violence/Intimate Partner Violence (IPV):** According to KDHS 2022, 41percent of women who have ever been married have experienced violence since age 15 compared to 20percent of women who have never been married. The survey further highlighted that 13percent of women and 7percent of men had experienced sexual violence at some point in their lives. Spousal violence against women mostly occurs in private home settings, perpetrated by people that the women are often emotionally involved with and economically dependent on. Due to this and the culture of most African communities in which violence against women is accepted and family or household conflicts are resolved culturally, spousal violence is normally surrounded by a culture of silence, fear, stigma and helplessness. This hidden nature makes IPV data collection difficult, resulting in an underestimation of its prevalence and impact.
159. To accelerate effective implementation of the Protection Against Domestic Violence (PADV) Act 2015, the Government developed the PADV rules, 2020 to enhance access to justice and promote human rights in Kenya. These Rules emphasize prevention, intervention, and holistic support, reflecting a multi-sectoral approach that involves collaboration between government agencies, civil society organizations, and the community at large.

## Sexual harassment and violence in public places, educational settings and workplaces

160. The government has enacted several policies and laws to address workplace sexual violence and harassment. Kenya Private Sector Alliance launched the inaugural private sector Gender Based Violence (GBV) advocacy initiative in 2021. A baseline study on the prevalence, trends and impact of GBV on productivity in the Private sector was undertaken revealed gaps in the elimination of GBV within the private sector. KEPSA undertook capacity building of the private sector on GBV and Protection against Sexual Exploitation and Abuse (PSEA) through a series of training reaching over 200 members. The government has prioritized ratification of ILO C190 on workplace violence and all Ministries, Departments and Agencies (MDAs) are expected to develop policies that address workplace GBV.

## Violence against women and girls facilitated by technology (e.g., online sexual harassment, online stalking, non-consensual sharing of intimate images)

161. Digitization is a global megatrend with great potential for achieving development goals. The online world is quickly becoming a new frontier for gender-based violence, and it is therefore imperative to make technology and digital spaces safe and equitable for all.

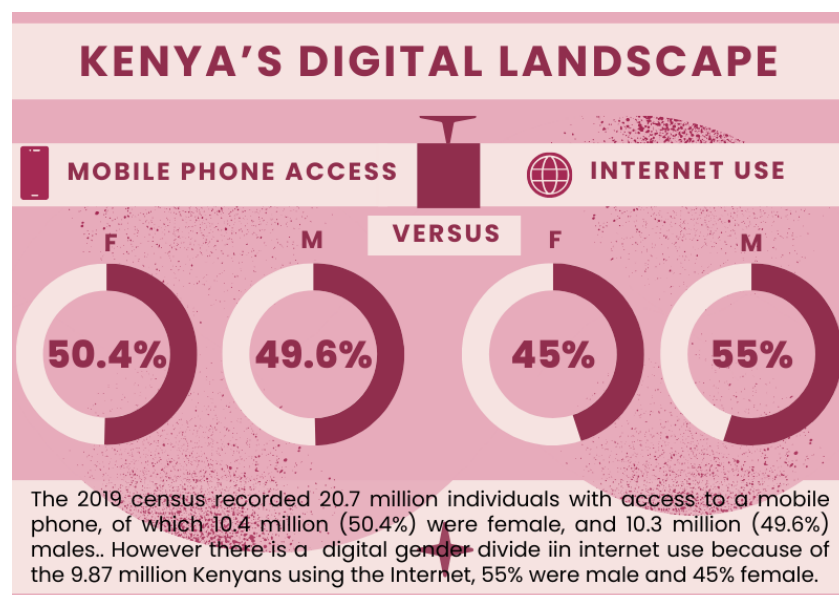


Figure 1 Kenya's Digital Landscape

Technology-facilitated gender-based violence (TF-GBV) is a global threat to health, safety, and political and economic wellbeing, not just to those who experience it, but to society as a whole. While online violence has an extensive reach, 2023 data collected from tertiary institutions shows that the most common forms of TFGBV witnessed and experienced were online defamation (21.9 percent), cyberbullying (19.1 percent), and non-consensual pornography (17.8 percent). Online defamation (34.4 percent) and non-consensual pornography (24.4 percent) are the most common forms of TF-GBV against female students, while

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male students mostly experience online defamation (43 percent) and cyberbullying (39.4 percent). Male students (78.6 percent) were identified as the top perpetrators of TF GBV, followed by female students (11.5 percent) and male teaching staff (5.4 percent). Technology-facilitated gender-based violence was most prevalent on social media platforms such as X space (formerly Twitter) (18.4percent), WhatsApp (17.0 percent), Facebook (16.8 percent), Telegram (14.2 percent), Instagram (14.2 percent) and TikTok (13.7 percent).

162. Survivors of TFGBV often seek social support, intervention from digital platforms, and legal support, but a notable number take no action. Gender, economic vulnerability, physical appearance, limited digital safety measures, and sharing of personal information online, among other factors, were listed as aspects that increase individuals' vulnerability to online violence. Female students are disproportionately impacted, with 64.4 percent of female students having experienced at least one type of online violence, as compared to 35.5 percent of male students. Female students are the primary targets of online attacks such as online defamation and non-consensual pornography, with a lasting psychological, social, and economic impact on those affected. The triggers for technology-facilitated gender-based violence range from personal conflicts and revenge to the perceived anonymity of online interactions.
163. A rapid study conducted in 2024 by the Collaborative Centre for Gender and Development (CCGD) in collaboration with UNFPA and Women Economic Empowerment indicated that nearly 90percent of young adults enrolled in three of Nairobi's tertiary institutions have witnessed Technology-Facilitated Gender Based Violence (TF-GBV), with 39percent having experienced it personally. While online violence has an extensive reach, female students are disproportionately impacted, with 64.4 percent of the students having experienced at least one type of online violence, compared to 35.5 percent of their male counterparts. The study indicated that cyberbullying was cited as the second most common form of TF-GBV at 19.1percent, non-consensual pornography 17.8 percent; cyberstalking at 14.6 percent, online personification 13.3 percent; online sexual exploitation 8.4percent sextortion 3.3 percent and doxing 1.6 percent.
164. The Computer Misuse and Cyber Crimes Act enacted in 2018 provides the legal framework for the protection of survivors against offenses related to computer systems to enable timely and effective detection, prohibition prevention response, investigation and prosecution of computer cybercrimes.

### **Gender-based violence against women in politics**

165. The National Gender and Equality Commission monitored the participation and engagement of Special Interest Groups (SIGs) in the 2022 elections. The Commission held extensive

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consultations with different groups including the Independent Electoral and Boundaries Commission (IEBC), Office of the Registrar of Political Parties (ORPP), Political Parties, the media, aspirants and candidates, election observers and other stakeholders. The exercise culminated in report titled “*Involvement and participation of the special interest groups (SIGs) in the 2022 general elections, Kenya*” with recommendations for key actors with the greatest responsibility in the management of elections.

166. The commission further facilitated consultative meetings aimed at engaging on issues affecting special interest groups and draw strategies for addressing challenges. The issues discussed were around participation and inclusion in the 2022 general election, sensitization on GBV reporting tool, County GBV directory and dissemination of GBV referral tools. A stakeholders’ forum for the National Police Service stakeholder on serious Human Rights violations and Sexual Violence related to elections convened in January 2022 discussed key priority interventions for GBV prevention during the 2022 elections.
167. A high-level consultative meeting was also held with registered political parties to secure their commitment in the promotion of participation of SIGs in various political party actions. It led to the development of the political party code of conduct, dispute management and resolution processes among others. The parties submitted a declaration aimed at committing leadership and resources towards ending GBV before, during and after the general elections.

#### **Gender-based violence in the media**

168. The media plays a crucial role in shaping attitudes, perceptions, and knowledge of their audience regarding GBV. A 2020 report name Reporting Newsroom Sexual Harassment in Kenya Nigeria and South Africa by City, University of London in which the Association of Media Women in Kenya found that on average, women experienced sexual harassment four times more than men. AMWIK in partnership with Journalists for Human Rights (JHR), and the Kenya Media Sector Working Group (KMSWG) and committees have introduced a model policy on sexual harassment for the industry for adoption by Kenyan media.
169. The Gender Commission held consultations with over 100 media practitioners, journalists, editors, and communication experts on gender responsive and gender balanced media reporting in preparation for the 2022 general elections. The Commission encouraged media to provide airtime and adequate space for women candidates in promoting their manifestos.

#### **Child, early and forced marriages**

170. There are several complex and intersecting drivers of child and forced marriage in Kenya, including poverty, lack of education, low social and economic value placed on girls, and the

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influence of religious and cultural norms and practices. These drivers vary across communities, and risk is often exacerbated in the context of crises, including natural disasters, conflicts, and epidemics. The Marriage Act, 2014, Children's Act, 2022, Sexual Offences Act, 2006 and the Prohibition of Female Genital Mutilation Act, 2011 provide the minimum age of marriage as 18, protect girls from cultural harmful practices. Kenya has ratified major conventions against child marriage. The Gender Commission facilitated the review and adoption of the terms of reference for the National Technical Working Group on ending harmful cultural practices. The purpose was to provide overall guidance and support in the implementation of policies and programs aimed at ending harmful practices in line legislations in place.

### **Trafficking in women and girls**

171. A study by the National Crime Research Center, 2022, revealed that human trafficking in Kenya is high. The country experienced trafficking for labour and sexual exploitation and for cultural purposes. Trafficking for labour accounted for 96 percent and 98.3 percent of all trafficking cases in the year 2020 and 2021 respectively. The Study further revealed that external trafficking in persons was the most prominent at 64.7 percent while domestic trafficking was 35.3 percent. In external trafficking, majority of the victims were adults and youthful females aged 18-34 years. Children were mostly victims of domestic trafficking accounting for 4 out of 10 victims of domestic trafficking. Some of the main factors contributing to Trafficking in Persons include poverty, unemployment, ready markets for cheap labour and ignorance and impacts of climate change.
172. To address trafficking in persons in the country, Kenya has: -
  - i) Undertaken to review the Counter Trafficking in Persons Act 2010 to align to the Constitution, address existing gaps and incorporate emerging issues;
  - ii) Established the Counter Trafficking in Persons Advisory Committee which came into force through the enactment of the Trafficking in Persons Act and has been operational since inception;
  - iii) Established the National Assistance Trust Fund for trafficking in Persons to provide assistance to victims of trafficking in persons through rescue, screening, referrals, legal assistance, repatriation, economic empowerment and reintegration. During the 2022-2023 fiscal year, the National Treasury allocated Kshs. 20 million (\$162,270) to the National Assistance Trust Fund for Assisting Victims of Trafficking, the same amount as the previous fiscal year. The government disbursed more than 7.6 million Ksh (\$62,270) from the fund to provide direct victim services, including repatriation

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assistance, basic needs, and reintegration support, as well as support to NGOs. The Fund was able to repatriate **15** Kenyans who had been trafficked to Laos and Turkey for cybercrimes and sexual exploitation while **36** survivors trafficked to the gulf countries as domestic workers were provided with economic empowerment; and,

- iv) The Government in conjunction with development partners like UNODC, IOM, ILO, CIVIPOL and local Civil society organizations has continued to enhance the capacity of law enforcement officers to handle cases of trafficking in persons leading to significant improvement in the investigation, prosecution and determination of cases. The Advisory Committee through the Secretariat, in collaboration with CIVIPOL, UNODC, the Office of Public Prosecutions and The Directorate of Criminal Investigations recently developed Standard Operating Procedures for Investigating and Prosecuting Trafficking in Persons cases in the country.

173. In **2022**, the government investigated **111** cases – **59** for sex trafficking, **10** for labor trafficking, and **42** for unspecified forms of trafficking. Forty eight (**48**) alleged traffickers were also prosecuted – **11** for sex trafficking, **3** for labor trafficking, and **34** for unspecified forms of trafficking – under various laws in 2022. However, this data may have included other crimes.

### Emerging issues

174. **Femicide:** There are increasing concerns about the wave of femicide in Kenya with reports indicating that women across the country are among the population that is vastly affected by the violence. In **2023**, Femicide Count Kenya recorded **150** known femicides. This number only represents cases reported in the media - the true count is likely much higher. At least **10** women were killed in the first month of 2024. The Parliament of Kenya has been called upon to ensure timely allocation of resources towards prevention, protection and response to GBV to all relevant institutions.

### Actions the country prioritized to address gender-based violence.

#### Judicial Reforms

175. The Judiciary has established specialized Sexual Gender-Based Violence (SGBV) courts to enhance the efficiency and efficacy of hearing SGBV matters and to do so in a manner that protects the rights of the vulnerable victims and survivors. So far, there are **12** SGBV courts in the country. The Judiciary also developed an SGBV Strategy to address the challenges in dealing with SGBV cases. The strategy was informed by the challenges identified following a consultation and analysis process that revealed several deficiencies, including structural obstacles such as inadequate courtrooms and trial chambers ill-equipped to accommodate

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vulnerable individuals like persons with disabilities and children. Key initiatives to be undertaken under the Strategy involve the expansion of SGBV courts, with a central focus on adopting a victim/survivor-centered approach that prioritizes the needs and concerns of victims in judicial responses. The Strategy also recognizes the importance of providing legal and psychosocial support to all SGBV victims. The implementation of the strategy began with sensitization and awareness campaigns to demystify SGBV Courts and increase their visibility. The electronic Convicted Sex Offender Register was also introduced alongside the SGBV Strategy in June 2023. This electronic register serves as a crucial tool for analyzing trends in sexual offenses and categorizing different types of offenses.

176. Additionally, in partnership with various stakeholders, the Government of Kenya, has embarked on the implementation of 12 commitments within the framework of the Gender Equality Forum (GEF). These commitments are aimed at addressing the multi-faceted challenges posed by GBV and FGM, encompassing legal reforms, resource allocation, and integration of services, research, and collaborative initiatives. The commitments and their achievements are as follows:

- i) **Full implementation of Gender Based Violence (GBV) Laws and Policies: This has been achieved through Policy Enhancement:** The National Policy on Prevention and Response to Gender-Based Violence (GBV) 2014 has undergone a comprehensive review pending approval. **County-Specific Policies have been developed;** Migori, Kisumu, Kisii, Samburu, Isiolo, Garissa, Narok, and Kajiado. These localized policies address the unique challenges faced by each county, ensuring that GBV prevention and response strategies align with the specific needs of the communities. **Collaborative Efforts:** The commitment to combat GBV has been furthered through collaborative initiatives. Counties like Turkana and Kitui have drafted Anti-GBV Policies in partnership with the Council of Governors and UN Women. This collaborative approach ensures a unified and comprehensive response to GBV challenges. The development of gender-based violence (GBV) workplace policies within these entities underscores the commitment to fostering safe and inclusive workplaces, free from harassment and discrimination;
- ii) **Investing USD 23 million for GBV prevention and response by 2022 and increasing resource allocation up to USD 50 million by 2026 through a co-financing model.** Specifically, the Government of Kenya commits to sustaining the allocation of USD 2.79 million to GBV and FGM and incrementally works towards a minimum budget allocation of USD 5 million for the subsequent financial years and institute an accountability framework for tracking expenditure. To achieve this, the

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- Government has entered into bi-lateral collaborative endeavors, strengthened budgetary allocation and engagement with non-state actors;
- iii) **Ratification and implementation of ILO Convention 190 on Elimination GBV AND Harassment in the world of work:** The facilitation guidelines have been developed to aid in the fulfilment of this international obligation. Gender Champions have been trained to understand the convention’s principles and objectives;
  - iv) **Introduction of a module on GBV in the 2022 Kenya Demographic Health Survey (KDHS):** This is to strengthen the utilization of gender statistics in informing the design, scale-up and evaluation of FGM and GBV programming in the country. The KDHS 2022 report, which has to an extent enhanced comprehensive gender specific data thereby facilitating a more informed evidence-based policy formulation, programme design as well as enhanced decision making and strategic planning. However, very little gender, age and disability disaggregated data are presented in the KDHS (2022) in particular on women with disabilities. Additionally, the report does not display an intersectional analysis on data thus not allowing visualization of the violence encountered by girls and women with disabilities;
  - v) **Develop a GBV Management and Information System:** The National Gender and Equality is developing a framework that will provide indicators that will inform the process of redesigning and developing an expanded Gender-Based Violence Information System (GBVIS) for access and use by the public;
  - vi) **Invest Kshs.100 million annually for GBV research and innovation to boost evidence-based programming:** The Government structure is equipped with established research agencies that serve as valuable resources for GBV research and innovation. The Gender Research and Documentation Centre and the Women Economic Empowerment (WEE) Hubs also contribute to enhanced research capacity specifically focused on gender dynamics thereby contributing to evidence-based programming;
  - vii) **Integrating GBV services into the essential minimum package of the Universal Health Coverage:** This has been achieved through development of GBVRC and Safe Spaces guidelines and implementation of Protection Against Domestic Violence Act Rules to enhance access to justice. The waiver of P 3 form fee has also enhanced access to justice;

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- viii) **Scaling up the National Police Service Integrated Response to GBV (Policare) and establishing Gender-Based Violence Recovery Centres (GBVRCs) and shelters in all 47 counties:** The progress into achieving this commitment is through the launch of the Policare Policy Statement and Procedures, gazettelement of the two Policare centres in Nairobi and Nanyuki, establishment and strengthening of Gender desks in all police stations. There are already established government GBVRCs and safe shelters for survivor support;
  - ix) **Establishing a GBV survivors fund through a co-financing model in partnership with private sector, civil society and other stakeholders:** A collaborative effort involving CSOs has led to the establishment of Jasiri Fund that provides substantial support for GBV survivors. A dignity pack has also been introduced by the government to alleviate the burdens faced by survivors and provide essential support for their well-being;
  - x) **GBV prevention and response in crisis situations such as the COVID-19 pandemic response, humanitarian contexts and electoral-related GBV:** The Government has activated GBV Task Force, National and County GBV Working Groups, introduced the Triple Threat Framework and expanded utilization of ICT for Access to justice as mitigation to the heightened risks faced by the country and individuals during crisis situations;
  - xi) **Strengthened collaboration with non-state actors including girl-led, women's rights organizations, male champions and private sector through coordination structures:** Progress towards this has been evidenced by establishment of Gender Sector Working Groups, male engagement thematic areas and operationalization of Multi-Agency Technical Committee to accelerate anti FGM efforts; and,
  - xii) **Adoption and institutionalization the multi-sectoral GEF Leadership structure:** The strides made in adopting and institutionalizing the multi-sectoral GEF Leadership structure, encompassing the National Advisory Committee, the National Steering Committee and the county-level leadership framework to guide the execution of Kenya's GEF commitments within the GBV Action Plan up to 2026.
177. Guidelines for the establishment of Safe and Protective Spaces for GBV survivors were also developed to set standards for organisations that respond to GBV. Civil Society Organizations (CSOs) operate 36 shelters in 13 counties (Nairobi, Kisumu, Mombasa, Kwale, Samburu, Kajiado, Murang'a, Laikipia, Kiambu, Nyeri, Meru, Machakos, and Makueni). There

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Government owned rescue centres are based in West Pokot, Bungoma, Vihiga, Meru, Makueni and Migori counties.

### Strategies the country used to prevent gender-based violence.

#### Legal Framework:

178. In the past 5 years. The government has continued to implement robust policies and laws that seek to prevent and respond to gender-based violence which include: National Policy on Prevention and Response to Gender Based Violence, 2014 (under review). National Policy for the Eradication of Female Genital Mutilation, 2019; County Government Policy on Sexual and Gender Based Violence, 2017; Prevention Against Domestic Violence Act, 2015.

#### Programmes

179. Steps taken to accelerate efforts toward the elimination of GBV are as follows:
- i) Coordination of the National and County GBV working group to bring together the various duty bearers and stakeholders to strengthen the effectiveness of implementation of Anti-GBV programmes;
  - ii) Establishment and strengthening of county GBV and Women, Peace and Security sub-sector Working Groups that bring together various duty bearers and stakeholders to improve effectiveness of implementation of activities and strengthen referral system at the county level;
  - iii) The creation of a special Femicide investigation unit by the Office of the Director of Public Prosecution (ODPP);
  - iv) Male Engagement and Inclusion - Involve men and boys as champions, change agents and role models in the fight against GBV. The fifth Thematic Area on Male Engagement and Inclusion was officially launched on 3<sup>rd</sup> August 2023, under the National Gender Sector Working Group; and,
  - v) Kenya's survivor-centered approach towards enhancing access to justice for SGBV victims/survivors has taken shape through a wide range of policy and institutional reforms accompanied by a variety of strategies and programmes. In 2022, the Office of the Chief Justice unveiled the Social Transformation through Access to Justice (STAJ) Vision for the Kenya Judiciary. In particular, the Strategic Plan canvassed the issue of access to justice leading to creation of the country's first Sexual and Gender Based Violence court.

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**Actions the country has taken to prevent and respond to technology-facilitated gender-based violence** (e.g., online sexual harassment, online stalking, non-consensual sharing of intimate images).

180. The Government has undertaken measures to protect women and girls from harmful and offensive online content as well as shield them from exploitation by predators through the continued implementation and enforcement of legislation on cyber security and cybercrime which include *Computer Misuse and Cybercrime Act 2018 and Privacy and Data Protection Policy Act 2019*. On 9<sup>th</sup> February 2024, the Computer Misuse and Cybercrimes (Critical Information Infrastructure and Cybercrime Management) Regulations. The enactment of these regulations will enhance the safeguarding of critical information infrastructure from cyber threats therefore improving national cybersecurity readiness and resilience.
181. The media has also promoted programs that include talk shows hosted by women where issues affecting women and girls are aired. Furthermore, social media has created an alternative channel for women to amplify their voices in advocacy, activism on Gender-based violence among other pertinent issues.
182. Kenya has established the Anti-Human Trafficking and Child Protection Unit, which collaborates with international partners to prevent and respond to incidents of online child abuse. The National Council on Administration of Justice developed a training handbook for the investigation and prosecution of Online Child Sexual Exploitation and Abuse (OCSEA) that provides a guide for training officers in the justice system on handling OCSEA cases in the child's best interests. The training package is a major step in implementing the Children's Act that helps in enforcing laws such as the Sexual Offences Act, 2006 which are designed to protect children online.

**Measures the country has taken to resource women's organizations working to prevent and respond to GBV.**

The Government in the past 5 years has been committed to addressing prevention and response to GBV by supporting women's organizations through:

183. Women's Rights Advisor's Office was established in January 2023, to advise the President on matters pertaining to Women's Rights and Empowerment, supports the coordination of the President's special projects and adoption of the Women's Agenda across all sectors, as outlined in the Bottom-up Economic Transformation Agenda (BETA) plan and Women's Charter. The office has played its role in promoting women's leadership including economic empowerment and investments, Gender Based violence and has reinforced partnerships with women's organizations in advancing and protecting the rights of women and girls.

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## Actions the country has taken to address the portrayal of women and girls, discrimination and/or gender bias in the media, including social media.

184. Kenya has undertaken several measures to combat gender bias and discrimination and to address the portrayal of women and girls in media. These measures can broadly be categorized into measures taken at various levels namely, measures at the policy level, the institutional level and the legislation level.

At the policy level, the National Policy on Gender and Development interventions advocated for:

- i) Capacity building of media houses to make them more gender responsive;
  - ii) Capacity Building for Women to increase their ability to get involved in and to navigate the field of media;
  - iii) Regulation of the media landscape to make it more gender responsive;
  - iv) Incentivization of the participation of women in media; and,
  - v) The policy forms the foundation framework for understanding and seeking to intervene within the field of media. Its goals, however, have been realized through efforts at the institutional level.
185. The policy goals prescribed in the gender policy have largely been realized through various mechanisms and institutions. The Media Council of Kenya, an independent national institution was established by the Media Council Act, No. 46 of 2013 has been involved in policing media content to ensure that programming by media channels is gender sensitive. In its oversight capacity, the Media Council has also been instrumental in establishing a code of conduct that outlaws all forms of discrimination against women and in lobbying for the development of gender mainstreaming policies by individual media houses. The work of the Council has been reinforced by the Kenya Media Sector Working Group whose members include:
- i) Kenya Editors Guild
  - ii) Kenya Union of Journalists
  - iii) Article 19 Eastern Africa
  - iv) Kenya Correspondents Association
  - v) Internews Kenya
  - vi) Association of Media Women in Kenya (AMWIK)
  - vii) Political Journalists Association of Kenya
  - viii) Digital Publishers Association of Kenya
  - ix) Kenya Parliamentary Journalists Association
  - x) Digital Broadcasters Association
  - xi) Association of Devolution Journalists

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- xii) Association of Freelance Journalists
  - xiii) Kenya Community Media Network.
  - xiv) Association of Professional Broadcasters
  - xv) International Association of Women in Radio and Television
  - xvi) Association of Kenya Community Media Operators
  - xvii) Foreign Press Association, Africa
186. Collectively, the members of the working group have worked to fight against sexual harassment in media. In 2021, the group released the Maanzoni Declaration, a 13-point statement that set out sexual harassment as one of the key issues to be addressed within media. The Association of Media Women in Kenya was mandated to lead a committee on gender in addressing sexual harassment in media which culminated in a 2024 report on Sexual Harassment in Media that documented that 60percent of women media faced instances of sexual harassment in the course of their career. The report documents that the situation in Kenya is still dire when it comes to misogyny within media.
187. On the legislative front, **The Data Protection Act of 2019** builds on the **Cybercrimes Act of 2018** highlighted in the 2019 report is being implemented. These laws are targeted towards protecting Kenyans against technology assisted crimes and are necessitated by a recognition of the ubiquitous nature of online harassment and abuse. The acts have been supplemented by establishment of a Cyber Crime Unit section at the Anti-Human Trafficking-Child Protection Unit (AHT-CPU). Further in order to make the litigation process more responsive to technology assisted crimes, the Evidence Act was also amended in 2021 to allow for the admissibility of digital evidence such as screenshots. This has afforded women with a greater sense of protection as their documented abuses online are recognized within the country’s legal framework allowing for prosecution of crimes while simultaneously deterring other crimes.
188. **Challenges**
- i) Cultural stereotypes have impeded the implementation of gender equality policy in media houses (Media Council of Kenya);
  - ii) Female journalists are underrepresented in leadership positions in media as reported in the 2024 State of Women in the Media report by Agha Khan University which reports that only 11 percent of editorial leadership positions and only 10 percent of business leadership positions are occupied by women in Kenya;

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- iii) The Media council should endeavor to embrace inclusion of other women with different identity such women with disabilities who often feel left out in the coverage of their potential compared to their male counterparts with disabilities; and,
  - iv) Women in the media still face cyberbullying despite the existing laws and in some instances, Women reporters' rights have been infringed upon while on duty.

**Actions the country has taken that are specifically tailored to address violence against marginalized groups of women and girls.**

189. The Government of Kenya and stakeholders have embarked on the following measures to combat GBV among the marginalized women and girls:

- i) Launched a coordinated response to the sexual and reproductive health and protection needs of women and girls in the drought emergency. More than **5,245** dignity kits, **43,358** sanitary pads, and **3,700** mama kits have been distributed to women and girls in the worst affected areas. A further 48 assorted Inter-Agency Reproductive Health Kits containing essential drugs, supplies, and equipment have been delivered to public health facilities to be used in integrated health outreaches carried out in the most remote areas;
- ii) Dissemination of information on available sexual and reproductive health and GBV services including linking women and girls to GBV helplines, ambulance referrals, and other clinical services; and,
- iii) In certain communities women have been included in the Alternative Justice System (AJS) especially in land related matters. For instance, in Kajiado County, it is a requirement that two women must be included in each of the ten (10) segments (AJS) of the committees.

190. **Gaps in addressing Gender Based Violence**

Lack of adequate survivor-centred approach and long term support, inadequate awareness about the different ways that GBV manifests, inadequate training of law enforcers, weak enforcement of laws given that the numbers of those prosecuted are very low, frequent transfer of trained law enforcers to handle GBV cases and that forensic evidence must be tied to government health facilities.

191. **Lessons learnt**

- i) Political will is essential in prevention and response to GBV;

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- ii) Fast tracking the persons with Disability bill is important as this will ensure that the rights of women and girls with disability are fully elaborated including reasonable accommodation in access to justice;
  - iii) Need to fully operationalize section 38 of the Persons with Disabilities Act of 2003 that requires the Attorney-General, in consultation with the Council and the Law Society of Kenya, to make regulations providing for free legal services for persons with disabilities with respect to the cases mentioned in the Act;
  - iv) Need to ensure the specialized SGBV courts are intentionally inclusive of women and girls with disabilities. These include free legal aid service for women survivors with disabilities; accessibility of the courts and provision of procedural accommodation;
  - v) Need to improve the criminal justice system where there is significant access to justice challenges such as difficulties in the criminal justice system with lack of procedural support for women and girls with disabilities. An example is limited to sign language interpretation or language misinterpretation, where for example interpretation does not give out the emotion or detail as communicated by the victim. This is worsened by the reality that often members of judiciary have no understanding of sign language and have to rely on the interpreter who may not always effectively pass information;
  - vi) Persistent engagement of cultural custodians will go a long way in combating cultural practices and social norms on GBV still pose significant challenges in the prevention of GBV;
  - vii) Intensify resource mobilization to facilitate programmatic interventions in prevention of and response to GBV; and,
  - viii) Thorough vetting of the employment bureaus operating in Kenya to combat trafficking of women.

## D) PARTICIPATION, ACCOUNTABILITY AND GENDER-RESPONSIVE INSTITUTIONS

### Critical Areas of Concern:

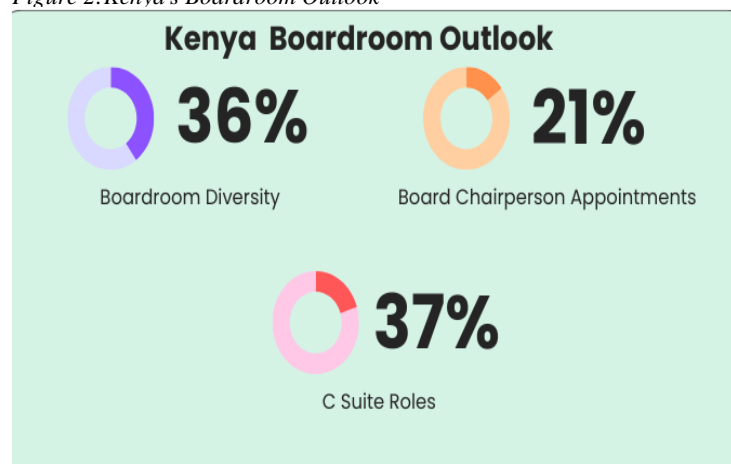
- G. Women in power and decision-making
- H. Institutional mechanisms for the advancement of women
- I. Human rights of women
- J. Women and the media
- L. The girl child

### Actions and measures the country has taken to promote women's participation in public life and decision-making.

#### Women in Boards

192. The 2020-21 Board Diversity and Inclusion Study by the Kenya Institute of Management (KIM), Kenya Private Sector Alliance (KEPSA), Nairobi Securities Exchange (NSE) and New Faces New Voices (NFNV) examined the impact of diversity and inclusion on organizational performance, decision-making, and productivity in the boardroom. The study sought to explore diversity beyond gender and age, and included other variables such as education attained, professional background, national origin, ethnicity, and religion.
193. Drawing on both primary and secondary data collected between December 2020 and March 2021 the following key findings were observed:

Figure 2: Kenya's Boardroom Outlook



Source: Kenya Institute of Management

i) In Kenya, gender diversity in the boardroom now stands at 36 percent in 2021, which is significant progress from 21 percent in 2017. In comparison, the global average of women holding board positions stands at 23.3 percent in 2021 up from 20.4 percent in 2018;

ii) Women constitute 21 percent of the appointed board chairpersons' whereas the global average is 3.0 percent; and,

iii) Female representation in C-suite roles in Kenya constitutes 37 percent compared to 21 percent globally.

### Appointive and Elective Leadership

194. Presently the women make account for 44percent of the Judiciary. The offices of the Chief Justice, Deputy Chief Justice, Attorney General, Principal Judge of the Employment and Labour Relations Court, Registrar of the Supreme Court, Registrar of the High Court, Registrar of the Environment and Land Court and Registrar of Tribunals, among other courts, are occupied by women. Additionally, there are 86 males against 91 female judges; 244 males against 298 female judicial officers (magistrates). Among the practicing lawyers 7,426 are male 6,481 are females. The statistics indicate that gender gaps are closing in the Judiciary.

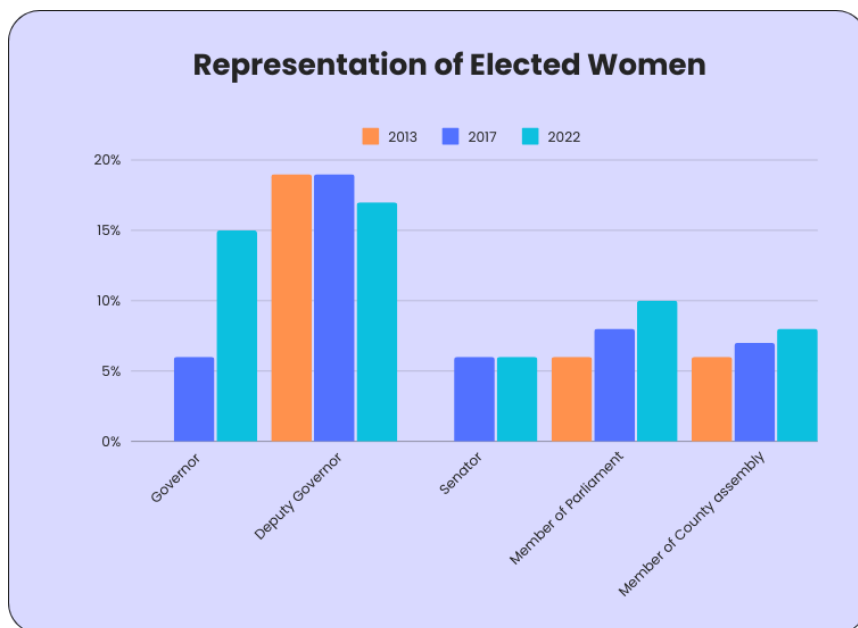


Figure 3: Representation of Elected Women

Following the 2022 general election in Kenya, there was a slight increase in women's representation to 23.3 percent up from 21 percent in 2017. At the local government level, out of the 47 County Governors, 7 (15 percent) are women, while Deputy Governors were 8 (17 percent). With regard to Senators, 21 out of 67 (31.3 percent) are women. Additionally, in the Members of County Assemblies (MCAs), 718 out of 2166 (33 percent) seats are held by women.

Of the 16,100 candidates cleared for the 2022 polls, women represented 12.18 percent or

1,962 candidates. Of the four presidential candidates, three (3) women were nominated as running mates. There was a significant increase in the number of women candidates for the five other elective positions. Of the 266 gubernatorial candidates 23 were women and 62 out of 266 deputy gubernatorial candidates were women, representing a 156 percent and a 94 percent increase, compared to 2017. 45 out of 341 senatorial candidates and 216 out of the 2,132 candidates for National Assembly were women, representing a 114 percent and 61 percent increase and one woman with disability over the last elections. 1,324 out of 12,997 candidates for MCA were women, a 66 percent increase since the last elections.

195. There has been an increase of women leadership in parties where several political parties appointed women as secretary general or executive director, including the United Democratic Alliance (UDA), the Amani National Congress (ANC), and the National Rainbow Coalition - Kenya (NARC-K), The Office of the Registrar of Political Parties (ORPP) enforced the two-third gender rule for party membership lists through its Integrated Political Party Management System.

### Specific measures to enhance women representation in decision-making

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196. The Bill of Rights, in Article 27(6) of the Constitution, provides for legislation, policies and programs; including affirmative action to redress the marginalization suffered by previously marginalized groups including women. Article 27(8) further provides for the principle that – “no more than two-thirds of the members of elective and appointive bodies shall be of the same gender.” Actions taken to advance this constitutional provision include the following:

- i) **The Presidential Memorandum to Parliament** of 2022 issued by the President proposed an amendment to the Constitution of Kenya by proposing that the National Assembly and Senate spearhead the process after the Supreme Court in the Building Bridges Initiative (BBI) case affirmed that the Head of State lacks authority to initiate changes to the Constitution.
- ii) **A Multi-Sectoral Working Group (MSWG)** on the realization of the ‘not more than two-thirds gender principle’ was established in 2023. The Working Group comprising state and non-state agencies representing diverse sectors proposed a framework to implement the outstanding Constitutional requirement on the ‘not more than two-thirds gender principle’ in elective and appointive public institutions.
- iii) **A National Dialogue Committee (NADCO)** set up to facilitate a dialogue and consensus building recommending appropriate constitutional, legal and policy reforms on issues of concern to the people of Kenya presented its report to Parliament in December 2023. One of the key issues was the implementation of the two-third gender rule, The Committee took into account the work undertaken by the Multi-Sectoral Working Group on the realization of the two-thirds gender principle and recommended two options for consideration.
- iv) **Option 1** – Adopt the Principle under article 177 as follows (a): on the basis of proportional representation by use of party lists as provided for under article 90 (b) comprise candidates who stood for election with precedence being given to candidates who received the greatest number of votes. **Option 2:** Double the number of women seats from the counties to the national assembly from forty-seven (47) to ninety-four (94) while retaining the 290 elected from the constituencies and the twelve (12) nominate from the party lists. Use the top up list to address any shortage in the number of women in the national assembly that may arise from application of the formula. Consequently, the MULTI-Sectoral Working Group considered the 2 options, completed its final report and proposed legislative instruments (Three Bills) and submitted to the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage on 22<sup>nd</sup> February 2024, which were thereafter presented to Parliament for consideration.

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- v) **Kenya Women Parliamentary Association (KEWOPA)** within the Kenyan Parliament seeks to promote gender equality and the empowerment of women in the legislative process. The association plays a critical role in advancing the status of women in Kenya and ensuring that gender perspectives are integrated into all areas of governance.
  - vi) **The G7 Strategy** is an ambitious initiative fronted by the seven women governors in Kenya aimed at giving women an equal opportunity to contest and win political seats during the general elections and other leadership positions for the realization of the two thirds gender rule. The G7 targets to have 16 women elected as governors in 2027. The G7 Advisory Council was launched in August 2024 to spearhead the collective journey towards gender equality and empowerment of women in leadership.
  - vii) **The Commission on Administrative Justice-Office of The Ombudsman** is mandated to tackle maladministration (improper administration) in the public sector and is empowered to, among other things, investigate complaints of delay, abuse of power, unfair treatment, and manifest injustice or discourtesy. The Commission also has the mandate of overseeing and enforcing the implementation of the access to Information Act, 2016.
  - viii) **Capacity Building of aspiring women leaders:** The Ministry of Gender, Culture, the Arts and Heritage developed and implements a training manual for aspiring diverse women leaders in collaboration with the Kenya School of Government. The Office of the Registrar of Political Parties also developed a capacity building program for women in political leadership that has training and financing components. The Kenya Women Parliamentarians Association (KEWOPA) also trains women candidates on online safety during campaigns and the County Assembly Forum developed a curriculum to guide the female Members of County Assemblies on building gender responsive agenda.

Some of the challenges are attributed to the patriarchal nature of the Kenyan society, limited resources to facilitate campaigns, gate keeping leadership spaces and the fact almost all the political parties are owned by men. Women's representative offices are not objective or functional. Also notable is under-representation underrepresentation of girls and young women in key leadership positions.

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## Actions the country has taken to increase women's access to expression and participation in decision-making in the media, including through information and communication technologies (ICT).

72. A study undertaken in 2021 titled Kenya's Digital Economy: *A People's Perspective*, found that only 35 percent of women have access to advanced digital services compared to 54 percent of men. The statistic closely mirrored in similar degrees in the Mobile Gender Gap Report 2023 that found that 39 percent of women have access to the internet as compared to 59 percent of men. This disproportionate access to ICT implies that women are unable to participate effectively in media due to the integration of media with information technology. Given this integration, increasing women's participation in media, in decision making roles and otherwise, there is a need to bridge the digital gender divide.
73. The government in partnership with multi-sectoral partners undertook interventions aimed at driving up the participation of media in ICT. One, is the partnership with KONZA Technopolis, Huawei women in Tech, and other partners where the government has spearheaded mentorship forums, and cloud computing trainings aimed at encouraging women to take up careers in the male dominated field of technology.
74. To increase the exposure of the general populace to ICT at an early age and to revolutionize Kenya's digital economy the government has undertaken to integrate ICT across all levels of education through the Digital Literacy Programme (DLP). This programme is targeted primarily to children in the primary level of education and is seen as critical in overcoming the barriers of socialization that contribute to women's reduced participation in ICT. By 2022. The programme had seen the distribution of over one million devices in over 22, 000 schools as well as training of 300,000 teachers on digital skills. With full implementation of the DLP project, the government expects increased national digital literacy levels. This effort is supplemented by the School Net Programme, a programme geared towards providing internet connectivity for 1300 schools. In its pilot phase the programme was able to target 13 schools as of 2022 with plans underway to expand the programme.
75. The AJIRA Digital training programme which targets young people has successfully trained over 220,000 young people on digital and digitally enabled work skills by the end of year 2023 with 53 per cent being young women. The women gain entry into the field of ICT and become active participants in shaping media decisions. The government has also continued to invest in National Optic Fibre Backbone Infrastructure (NOFBI) across the country, with the aim of increasing cost-effective access to internet services.

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76. Private actors have also been crucial in pushing women's participation in ICT. Safaricom for instance became a signatory in 2017 to the Global System for Mobile Communications Association (GSMA) and committed to increase the proportion of women customers in their mobile money and mobile internet customer base and have since then implemented various programs to increase women's connection to the internet and to accessing mobile services.

**The country's current national women's machinery (government entity exclusively dedicated to the promotion of gender equality and the empowerment of women) and measures the country has taken over the past five years to establish and/or strengthen it.**

77. The Declaration of the UN Women's Decade in 1975 led to the establishment of the Women's Bureau under the ministry of Culture and Social Services. This was an acknowledgement of women as a population category with special needs that required special attention. The functions and responsibilities of the Bureau, according to the Cabinet Memorandum 78 included: policy formulation, implementation and evaluation, coordination of all Government initiatives and programmes for women, collection and analysis of data and information required for the design, monitoring and evaluation of policies and projects for women and support to liaise with NGO projects and women organizations.
78. The first National Policy on Gender and Development (NPGAD) was adopted in 2000. The policy provided a framework for addressing gender inequalities at all levels of government and by all stakeholders. It further provided an avenue for gender mainstreaming across all sectors in order to generate efficient and equitable development outcomes.
79. The State Department for Gender Affairs became fully fledged in November 2015. It is the institution that is mandated to promote gender mainstreaming in national development processes and champion for the socio-economic empowerment of women. Previously, gender issues were handled under a division in the Ministry of Gender, Children and Social Development; and later as a directorate under the Ministry of Devolution and Planning. Currently, the department is domiciled under the Ministry of Gender, Culture, the Arts and Heritage.
80. The Department derives its mandate from the Constitution of Kenya in Articles 10, 27, 60, 61, 81 and 100 among others and the Executive Order No. 2 of 2023. Article 10 outlines the national values and principles of governance which include equality, equity, inclusiveness and non-discrimination which provide anchorage for gender equality; and Article 27 ingrains the right to equality and freedom from discrimination. The functions of the department as provided for within the Executive Order No. 2 of 2023 include: Gender Policy Management; Special Programmes for Women Empowerment; Gender Mainstreaming in Ministries/ Departments

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/Agencies; Community Mobilization on Gender Issues; Domestication of International Treaties/Conventions on Gender; Policy and Programmes on Gender Violence; Affirmative Action Policy; Promote equity; Undertaking national survey on special needs; Mainstreaming affirmative action in Ministries/ Departments /Agencies; and Ensuring Compliance with affirmative action principles as envisaged in the Constitution.

81. The State Department for Gender and Affirmative Action operates through four technical directorates; Gender Balance and Equality, Gender Policy, Research and Documentation, Socio-Economic Empowerment and Anti-Gender Based Violence. The Department also hosts Semi-Autonomous Government Agencies that implement related gender functions on economic empowerment and provision of services to victims of gender-based violence namely:
  - i) National Government Affirmative Action Fund;
  - ii) Anti-Female Genital Mutilation Board;
  - iii) Gender Violence Protection Centres; and,
  - iv) Women Enterprise Fund.
82. The Department coordinates the National Gender Sector Working Group that brings together all gender actors in the country to share experiences, lessons and challenges and emerging trends in the sector as well as providing a networking platform for the actors. To facilitate coordination and cooperation between national and county Governments, the department has in place the Intergovernmental Consultation framework on Gender. This has enhanced monitoring of gender programmes in all the counties and expanded opportunities for resource mobilization at both the National and County Level.
83. Alongside the State Department for Gender and Affirmative Action, the other government entity tasked with the promotion of gender equality and the empowerment of women is the National Gender and Equality Commission. The Commission was established by the National Gender and Equality Commission Act, 2011 pursuant to Article 59 (4) of the Constitution of Kenya. The mandate of the Commission is to promote and ensure gender equality, principles of equality and non-discrimination for all persons in Kenya as provided for in the Constitution of Kenya 2010 with a focus on the following Special Interest Groups (SIGs): women, persons with disability, children, youth, and older members of society, minority and marginalized groups.

**Other mechanisms and tools the country used to mainstream gender equality across sectors (e.g., gender focal points in the Executive, Legislature or Judiciary; inter-ministerial coordination mechanisms; gender audits, consultations with women’s organizations).**

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84. The State Department for Gender & Affirmative Action in collaboration with the National Gender and Equality Commission conducts performance evaluation of Ministries, Departments and Agencies in gender mainstreaming. This evaluation and recognition of best performing MDAs in gender mainstreaming has greatly improved the overall status of gender mainstreaming in the country. According to a report published by NGEN on the status of gender mainstreaming in the public sector in the financial year 2022/2023, 92 percent of the public sector institutions had complied with the not more than two-thirds gender principle. 11 percent of tertiary institutions, semi -autonomous government agencies and state corporations respectively had not complied with the not more than two thirds gender principle. Out of 341 public institutions evaluated, the total workforce comprised an average of 795 females as opposed to 932 males.
  85. The National Gender and Equality Commission improves availability of information on gender equality and inclusion as well as the status of participation and representation of special interest groups in national development. Some of their recent publications include: A national inclusive development framework for marginalized communities in Kenya; and, A model gender mainstreaming policy for the technical and vocational education and training sector 2023 and Inequality diagnostic Kenya-mind the gap-towards a more equal Kenya (2023).
  86. Following enhanced awareness on gender mainstreaming, some institutions over time have had to reform in order to comply with amended laws for instance, the political parties (amendment) Act 2016, compels political parties to comply with the two-thirds gender principle in their governance structures. The Independent Elections and Boundaries Commission (IEBC) on realization that political parties submitted lists of nominated candidates that were not in compliance with 2/3rd gender rule during the 2022 elections period, extended time for submission for compliance.
  87. KEWOPA has formed 10 Chapters across the country that will advocate for increased number of women parliamentarians at the county level and the national level as well as to advocate for increased attention to issues affecting women at the county level. Additionally, the Kenya Women Senators Association (KEWOSA) works together with KEWOPA to encourage more women to vie for political positions and spearheaded the formation of the women caucus for the members of the County assemblies which is key for mentoring other women into leadership positions. The pastoralist women caucus has also be set up to promote women's economic and political empowerment, improve service provision for women particularly education and health care and address cultural and reproductive health issues including FGM, GBV and early marriage.

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88. Within the executive, the office of Women Rights Advisor was established in the Office of the President to further advance and safeguard women rights and interests. The Government is currently implementing a 9-point women focused agenda aimed at empowering more women. This agenda covers critical areas which include, economic empowerment, gender equality in leadership, combating gender-based violence and safeguarding women's land rights.
  89. The African Women Leaders-Kenya Chapter (AWLN) launched in 2020 scaled up efforts to enhance women's participation in decision making through peer learning and mentorship among other strategies. AWLN issued a statement, during the 2022 elections, condemning the atrocities. The organization also trained and deployed mediators in all 47 counties to support National peace initiatives. The Young Women's caucus of the AWLN was established in 2020 to represent the voice of the young women.
  90. Within the judiciary, The International Association of Women Judges -Kenya Chapter (IAWJ - Kenya Chapter); a network of women Judges and Magistrates in Kenya, whose aim is to enhance the capacity, visibility, and influence of women in the judiciary, and to promote gender-responsive justice delivery, has helped women judicial officers to access training, mentoring, networking, and advocacy opportunities, as well as to exchange best practices and lessons learned with their counterparts from other countries.
  91. The State Department for Gender and Affirmative Action has deployed national gender officers in every County to implement National Government programmes in collaboration with county stakeholders. These officers submit semi-annual reports to the State Department for Gender and Affirmative Action. All Government Ministries and Departments also have gender focal persons who handle gender matters in their respective stations. The state department convenes quarterly meetings for the focal points for collective responsibility.
  92. There are enhanced efforts to enjoin men and boys as allies, advocates, role models, champions and change agents in all advocacy efforts on gender issues. In this regard, the National Gender Sector Working Group which initially had four thematic Committees launched the fifth thematic committee on Male engagement and inclusion in 2023.
  93. Women in different professions have continued to form associations e.g. Women in Media, Women in Engineering, Women in ICT, among others. Other associations have been formed by professional women in various counties e.g. the Professional Association of Nyanza Women who launched a Strategic Plan to address critical areas of development in the region, with key priority areas including health, education, agriculture, financial inclusion, networking, partnerships and institutional capacity in order to uplift the grassroots communities.

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## The national human rights institution in Kenya and the measures it has taken to address violations of women's rights and promote gender equality.

94. The National Human Rights Institution in Kenya under its constitutional framework comprises of; the Kenya National Commission on Human Rights, The National Gender and Equality Commission and Commission on Administration of Justice that have been operationalized through their legislative acts.
95. The KNCHR has the function of receiving complaints and investigations into violations of human rights including those of women and girls. In the last 5 years, the KNCHR has been able to receive 4350 complaints from Women and girls of which 522 were from Women with disabilities. The KNCHR conducted investigations into the said violations. It has been able to resolve 2149 matters. The KNCHR participated in 7 litigation cases that enhanced the rights of women in relation to surrogacy rights, making free the P3 form for recording medical status of survivors of SGBV, the reinstatement of mortality and morbidity guidelines on safe abortion among others. The KNCHR also coordinates the shadow reporting amongst Civil Society Organisations reporting mechanisms of the Universal Periodic review and the shadow reports on CEDAW and to the regional mechanisms.
96. The National Gender and Equality Commission (NGEC) received and processed **350** complaints on the violation of the principles of gender equality and freedom from discrimination. Complaints received during the period vary in nature and type and include; complaints on Cash Transfer for the elderly, assault, property dispossession discrimination, and land dispute, intimidation, defilement, separation, and eviction, marital conflicts, colluding to blackmail assault, and threats among others. The cases were referred to the relevant actors while others were processed by Commission and complainants were advised accordingly.
97. With the support of the National Assembly, the NGEC published The National Gender and Equality Commission Complaints Handling and Procedure Regulation 2022. These regulations are meant to operationalize Part III of the National Gender and Equality Commission Act of 2011 on investigations. The NGEC is a member of the National Council on Administration of Justice (NCAJ) Committee on review of Sexual Offences Laws and Policy, Victims Protection Board where it champions the rights of vulnerable victims of offences including gender-based violence, abuse of police power, the national implementation committee on Business and Human Rights established by the Attorney General, National Committee on International and National Human Rights Obligations. Through this Committee, the Commission has participated in drafting the third national status report on Universal Periodic Review of the UN Human

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Rights Treaties. The Universal Periodic Review (UPR) is a process that assesses all human rights in all the 193 UN Member States.

## E) PEACEFUL AND INCLUSIVE SOCIETIES

### Critical areas of concern:

- E. Women and armed conflict
- I. Human rights of women
- L. The girl child

**In the past five years, what actions has your country taken to build and sustain peace, promote peaceful and inclusive societies for sustainable development and implement the women, peace and security agenda?**

98. Kenya's commitment to maintaining security, promoting peace, and resolving conflicts within its borders and beyond is demonstrated through Legal and Policy Frameworks, Empowerment of Women in Peacebuilding and Programmatic Initiatives.
99. In 2023, The Government of Kenya commissioned an independent review of its national peacebuilding architecture, led by a National Steering Committee and an Independent Panel of Advisors. The review process involved broad consultations with Kenyans from diverse backgrounds and resulted in a comprehensive set of observations and recommendations to strengthen Kenya's peacebuilding efforts.
100. As a result of the peacebuilding architecture review, Kenya is in the process of developing a National Peacebuilding and Prevention Strategy to define a national agenda for peace, promote political inclusion, enhance conflict prevention and resolution, and establish a new institutional framework. Kenya has seen positive trends in gender equality and peacebuilding as highlighted in the 2020/2021 Women Peace and Security Index. Kenya's overall rating has improved since the inaugural index report in 2017, moving from 107 to 90 in 2021.
101. Key documents that have informed programing in women, peace and security include:

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- i) The **Kenya Vision 2030** program includes a "Peace Building and Conflict Resolution" component that aims to establish and operationalize a policy and institutional framework for early warning mechanisms on social conflicts. The UN has also supported Kenya in reducing risks of election-related violence through early warning and response initiatives;
  - ii) **Counter Trafficking in Persons Act of 2010:** The Government has increased efforts in combating trafficking. Some of these efforts include achieving more prosecutions and convictions of traffickers, investigating allegations of official complicity in trafficking crimes, and allocating new funding for its victim assistance fund. The Government has also expanded the mandate of the Child Protection Unit to include cyber protection against child exploitation. In addition, officials vetted recruitment agencies in compliance with registration requirements and a code of conduct;
  - iii) **The Refugees Act No. 10 of 2021** which seeks to provide a safe asylum space for refugees especially the most vulnerable groups such as women, children, persons with disabilities and unaccompanied minors.
  - iv) Women's organizations and women's rights activists working on peacebuilding in Kenya have made significant contributions. They have been at the forefront in the implementation of the 1<sup>st</sup> KNAP and now the 2<sup>nd</sup> KNAP 2020-2024 through different activities, including conflict prevention and management through indigenous early warning and peacebuilding approaches, mediation and negotiation, scenario building, research, and assessments, among others; and,
  - v) Kenya's education system is a powerful tool for peacebuilding, social cohesion, and sustainable development. SDG 4 focuses on Quality Education and aims to ensure that all learners acquire the knowledge and skills needed to promote sustainable development including peace education that encourages nonviolence and global awareness. The Competency Based Curriculum emphasizes human rights, gender equality and responsiveness, global citizenship, and appreciation of cultural diversity and enhances the diversity of knowledge through valorization of indigenous and mother tongue languages.

### **Empowerment of Women in Peacebuilding**

- 102. Across Kenya, women are increasingly taking the lead in mediating local conflicts driven by factors like ethnic tensions and land disputes. Organizations like the POTUMA Women's Forum are bringing women from different communities together to deescalate shared insecurities and challenge the patriarchal barriers to women's participation in peace and security.

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103. The civil society organizations established mechanisms that support women’s inclusion and participation. For instance, Isiolo Peace Link established Isiolo Indigenous Women UNSCR 1325 Action Group, a platform that is helping women to actively engage in implementation of the different pillars in KNAP II. The application of alternative dispute resolution has helped in restoring peace and building relations in Isiolo. Annual camel caravan and related interventions have helped mitigate climate change that has been a major source of conflict in pastoralist areas. In Kisumu, Women Concern Centre, a local NGO, helped to open spaces for women participation in the Bunge la Wananchi, which is mainly male dominated.
  104. With support **from Rural Women Peace Link**, women from conflict prone countries of Uasin Gishu, Bungoma, Nandi, Elgeyo Marakwet, West Pokot, Baringo and Laikipia were trained as trainers of trainers on the role of women in peace and security. The Counties have also initiated the development of Local Action Plans. So far there are 14 county action plans developed across the country. National Action plans have also been translated into Kiswahili and the popular version into Kiambu, Akamba and Kisii.
  105. UN Women enhanced participation of 895 women in Wajir, Uasin Gishu and Mandera County on promoting social cohesion, including countering discrimination and hate speech, and the prevention of COVID-19 becoming a driver of violence and conflict. Partnership for Peace, a local NGO, initiated a mentorship program for young women peace builders. The Government has also developed National Referral Mechanism (NRM) Guidelines to assist stakeholders in referring potential victims of trafficking. The guidelines provide a system of identification, referral, holistic support and assistance based on gender, age, specific needs and reintegration of victims of trafficking in Kenya.
  106. As the feminization of migration is increasing in Kenya, migrant women face severe challenges from trafficking abuse, inequality and denial of human economic labour and social rights. An estimated 53 million domestic and low care workers migrate to the GCC (Gulf Cooperation Council) countries are - 85percent of who are women. To address the root causes of trafficking and exploitation of women; the Government, through the National Employment Authority (NEA) has put several measures to ensure the safety and protection of rights of migrant women. It launched the “Kenya Labour Migration Information Website” on 29<sup>th</sup> January 2019.
  107. The Government has committed to provide adequate resources for support services, including shelters, for victims of trafficking. During the 2022/2023 fiscal year, Kshs. 20 million (\$197,530) was allocated to the National Assistance Trust Fund for Assisting Victims of Trafficking. Services consisted of medical care, psychosocial counseling, rehabilitation and

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reintegration support, food and clothing, legal aid, and transportation. In 2022, the National Police Service also began providing complimentary overnight security to the shelters.

108. Kenya launched its first ever policy for the National Police Service (NPS) integrated response to gender-based violence in 2021. The Policare Policy is intended to steer NPS in the establishment, management and operations of one-stop centers dubbed ‘Policare’ and is intended to provide comprehensive support services including legal, psychosocial support, police and health to survivors of gender-based violence (GBV) at no cost. The one-stop Policare centers have been launched in police stations in various counties.
109. **iamtheCODE** aims to work with UNHCR Kakuma to map the technology infrastructure. With the iamCODE well-being clubs and mentoring programs, refugees are more confident. They feel included and reassured within their communities. They have conversations around mental health, climate change and leadership.
110. Kenya has also develop a Gender responsive Community led Early Warning Early Response (EWER) framework, which aims at guiding the communities in identifying indicators of early warning signs of violent extremism and the local and county reporting channels and the tool will be able to guide the security agents in response to the identified cases. This has increased the number of young women peacebuilders volunteering as early warning peace monitors in the informal settlements. Early Warning and response mechanisms established include:
  - i) The setup of a toll-free line (0800 222223) for public to report cases of distress and unethical recruitment;
  - ii) Establishment of a 2 layered Multi-Sectoral Monitoring Committee (Advisory and Technical);
  - iii) Development of an Oversight and Community Feedback Mechanism for members of the public to report suspected human trafficking and non-compliant Private employment agencies. The Mechanism is being piloted in 5 Counties: Busia, Nandi, Nairobi, Kilifi and Kwale;
  - iv) Members of the community collaborating with joint operations and command centre (JOCC) established by the national police in high-risk areas. In Isiolo County, the centre houses the early warning early response (EWER) and women situation room (WSR);
  - v) The investigative capacity of the Directorate of Criminal Investigation’s (DCI) Anti-Human Trafficking and Child Protection Units (AHTCPU) have been increased. A

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new office has been established in Mombasa and the number of personnel have been increased.

- vi) The government has established cyber-centres to increase investigation of cases involving online child exploitation; the centres receive intelligence information related to child exploitation and trafficking and refer the information to officers for action; and,
- vi) The Office of the Director of Public Prosecutions has established and operationalized a specialized unit within the office to handle trafficking in persons cases. The Unit developed the Trafficking in Persons Prosecutors Manual to train the investigators and prosecutors on trafficking in persons cases. The Counter Trafficking in Persons Advisory Committee is domiciled in the Ministry of Labour and Social Protection.

### **111. Challenges**

- i) Restrictive gender norms and stereotypes pose a major challenge to women's participation in peace building and reconstruction e.g., the perception that women lack the skills, knowledge, or social status to transform post conflict situations;
- ii) Hostility from men in positions of power ranges from sexist remarks to threats of violence and even killings which may lead women to abandon leadership;
- iii) Women-led peacebuilding organizations often struggle to secure funding, hindering their ability to implement programs and initiatives effectively. Traditional donors may prioritize larger, established organizations, overlooking the crucial work of grassroots women's groups;
- iv) Operating in conflict zones or areas with high crime rates poses a significant safety risk for women peacebuilders. Threats of violence, intimidation, and sexual harassment can deter women from actively engaging in peacebuilding activities;
- v) The lack of safe spaces where women and children can find safety when conflict starts also contributes to endangering them since they are often caught unaware, unlike their husbands who most of the time are preparing for the war;
- vi) The justice system has not been aligning bandits to courts and the alternative dispute resolution doesn't seem to be working. The shoot-to-kill call by the government has left many women widowed;

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- vii) The war and conflicted areas are underdeveloped which makes it difficult for women in these areas to access basic services;
  - viii) The contributions of women peacebuilders are often undervalued or overlooked. Their efforts may not be acknowledged in official peace processes, and their expertise may not be fully utilized;
  - ix) Women often face a heavy burden of domestic responsibilities, making it difficult to dedicate the necessary time and energy to peacebuilding activities. Lack of childcare options or support from family members can further limit their participation; and,
  - x) Data on the specific needs and contributions of women peacebuilders in Kenya is often scarce. This lack of information makes it difficult to advocate for their support and develop targeted interventions.

## 112. **Lessons Learnt**

- i) Forging and strengthening partnerships for WPS (Women in Peace Keeping) work increases synergy and delivery of sustainable peace and security outcomes;
- ii) Research should focus on the ways in which armed conflict and its impacts, such as forced displacement, alter gender relations within the family and community. Improved outreach and counselling services must be made available to address the distinct needs of women and men who experience negative impacts of armed conflict. This is particularly important if we are to address the often-unrecognized gendered needs of women and men who have suffered traumas such as GBV;
- iii) Negotiations progress more quickly and lead to more sustainable peace when women are engaged in the process;
- iv) Researchers and practitioners must pay more attention to how the notion of masculinity limits our understanding of the diverse roles and needs of men and also how it affects women and gender relations. Heightened awareness of this male diversity will contribute to the development of gender sensitive post-conflict interventions. The escalation of all types of physical and sexual GBV during and after armed conflict must be addressed;
- i) Increased funding and other necessary resources should be dedicated to finding and promoting effective outreach services that respond to the needs of victims of GBV, including specialized and localized access to healthcare, ongoing counselling, outreach and support. This is particularly important for women, since women's unique

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- gynecological and reproductive health concerns related to forced pregnancy and sex work are invariably overlooked. Funding should be geared towards organizations that are able to provide training in the consequences of GBV and other types of violence;
- ii) Increased funding and resources must also be dedicated to addressing the needs of men who diverge from stereotypical masculine gender roles, particularly those who are victims of, or who resist, violence. This may be done by tying outreach for men into existing health and support centres, or through the creation of new services that address GBV against men;
  - iii) The institutions governing armed conflict and post-conflict reconstruction will be in a better position to address gendered needs through better implementation and enforcement of existing international laws and commitments;
  - iv) International institutions and governments must recognize impacts of armed conflict such as forced displacement, impoverishment and GBV as violations of human rights and not as private or cultural concerns, or merely inevitable outcomes of war;
  - v) Implementation and enforcement of international commitments such as Resolution 1325 would also ensure the presence of gender-aware female activists at the peace table. Mechanisms such as all women short lists of candidates or reserved seats for female participants at peace negotiations would represent significant steps forward in promoting gender equality. All interventions designed to alleviate suffering and ‘normalize’ life in a post-conflict society must take account of gendered concerns;
  - vi) Peacekeepers must receive tailored gender training in order to promote healthier relationships and establish trust with local communities. There must also be better reporting and policing mechanisms to address both the threat and the occurrence of sexual and physical violence associated with peacekeepers and those charged with protecting post-conflict areas;
  - vii) All staff and volunteers deployed in conflict and post-conflict interventions must be trained to understand and manage the gendered implications of post-conflict reconstruction in the social, political, economic, religious and cultural contexts in which they are operating. More emphasis should be placed on the concerns and priorities expressed by local populations, particularly women;
  - viii) Civil society organizations, particularly women’s organizations, need increased funding and resources. Women’s organizations in conflict zones around the world

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- engage in a wide range of activities, from meeting basic needs for local communities to lobbying for changes to political and legal structures that are not gender equal, and,
- ix) Systematic and context-specific gender-sensitivity training must be provided to peacekeepers and NGO staff who are interested in engaging local populations, particularly women and girls, more effectively in reconstruction processes.

**In the past five years, what actions has your country taken to increase the leadership, representation and participation of women in conflict prevention, resolution, peacebuilding, humanitarian action and crisis response, at decision-making levels in situations of armed and other conflicts, and in fragile or crisis settings?**

113. Kenya has put in place several measures that have enhanced inclusive and effective engagement of women in conflict resolution. Kenya has also integrated gender perspectives into national security institutions and fostered the creation of crucial networks for women peacebuilders:
- i) The Ministry of Defence (MoD) has taken steps to recruit more women in senior positions, including advisory, representational, and field operations. Currently the National Security Advisor to the president is a woman and in 2024 Kenya witnessed the swearing in of the first woman service commander of the Defence forces;
  - ii) Leadership mentorship forums (coaching for leadership and participation) for more than sixty (60) senior women officers (civilian and uniformed). There were visible actions mostly in the areas of operational and procedural reforms, staff training, system-wide planning and coordination and several review meetings in MOD;
  - iii) Ministry of Defence's gender policy has immensely promoted the UNSCRs on Women, Peace, and Security. This has created management mechanisms for implementation of gender perspectives in the pursuit of defense and security;
  - iv) Increasing Women's Participation in Peace Committees: The percentage of women participating in Kenya's peace committees has risen from **14percent** in **2018** to **34percent** in **2024** (MoINA);
  - v) Establishing Women's Peacebuilding Networks: Two key networks have been created to open up spaces for women's participation in peace and security in Kenya:
    - a) The Women Mediators Network brings together women engaged in local conflict mediation to share experiences, build skills, and advocate for greater inclusion; and,

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- b) The Women in Peace Committees Network allows women members of the national peace committee structure to coordinate their efforts, access training, and collectively push for policy changes to strengthen women's participation.

### **Empowerment of women in peace building**

114. This section highlights programs that build women's capacity as humanitarian responders, amplify their voices in public spheres, and address the economic challenges they face. They include:
- i) **Amplifying Women Peacebuilders' Voices:** Through these networks, women peacebuilders like Mary and Christine from the POTUMA Women's Forum have been able to secure community radio airtime to promote peace dialogues and challenge patriarchal norms that exclude women. This has increased the visibility and influence of women in peace and security spaces;
  - ii) **Building Women's Capacity as Humanitarian Responders:** The government and development partners have provided training opportunities for local women leaders in emergency preparedness, early warning, and crisis response, enabling them to take on greater leadership roles in humanitarian action;
  - iii) **The County Assemblies Forum (CAF) in partnership with UN Women and Council of Governors (COG) in May, 2022 conducted a localized CSW Forum dubbed (CSW Mashinani) aimed at providing County women leaders with a platform to deliberate on how to promote women's participation and leadership in all forms of decision-making as well as providing a forum for County women leadership to deliberate on mechanisms of guaranteeing women's participation in the decision-making process;**
  - iv) **Integrating Gender Perspectives in Conflict Analysis:** The government has made efforts to ensure gender analysis is incorporated into conflict assessments and early warning systems, recognizing the differentiated impacts of conflicts on women and men;
  - v) **REINVENT, a UK supported programme, advocated for women's leadership in some of the most patriarchal communities by engaging women leaders and elders in Mandera and Wajir counties on the impact of negotiated democracy on women's leadership. The engagements aimed at eliminating negative perceptions, discriminatory practices, abuse and exclusion of women from leadership and decision-making positions;**

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- vi) Collaborative Centre for Gender and Development (CCGD), developed a Women's Leadership Guide on the topic, expanding women's territory in Leadership and Nurturing the Nation. The guide is a useful self-empowering tool that is easy and accessible to women; and,
  - vii) In Samburu and Baringo counties Pamoja Trust implemented a climate change governance program which promoted the inclusion of women and youth in governance and decision-making processes, by engaging men. Pamoja supported community level coordination platforms known as the Ward based Community Action Groups that promoted women leadership on matters rangeland. This ensured that there was a collective voice in decision making and hence effectiveness of community actions and adherence to agreed bylaws for sustainable management of land, pasture, and water resources. With increased women voices in resource committees such as water committees, women now have increased access to water resources for domestic use in the morning hours, with watering of livestock taking up the afternoon, promoting peaceful social interactions among the rangeland communities.

### **Programmes**

- 115. Collaboration of Women in Development (CWID) in Mombasa through the Inua Mama Initiative conducted empowering programs for Women, Young men, and Communities to resist the appeal of violent extremism. The initiative is contributing to the implementation of Mombasa County Action Plan on Preventing and Countering Violent Extremism (MCAPPCVE) through contributing towards the Gender Pillar which has contributed to increased awareness on preventing violent extremism through involvement of women in promoting peace and security.
- 116. IPSTC hosted a conference to mark the 2022 edition of International Women's Day, themed Break the Bias. The conference sought to achieve, among other goals. Enhanced capacity building for military, police, and civilian personnel in addressing the challenges of understanding gender in the aspect of WPS at national, county and grassroots levels. The establishment of Isiolo EWER WSR centre in readiness for 2022 elections is providing enabling environment for women to do their campaigns without fear of disruptions since the mechanism has put deterrent measures in place.
- 117. Strengthening Women's Economic Empowerment: Initiatives like the Uwezo Fund have provided financial and business support to women-led enterprises in conflict-affected communities, enhancing their resilience and ability to contribute to peacebuilding efforts.

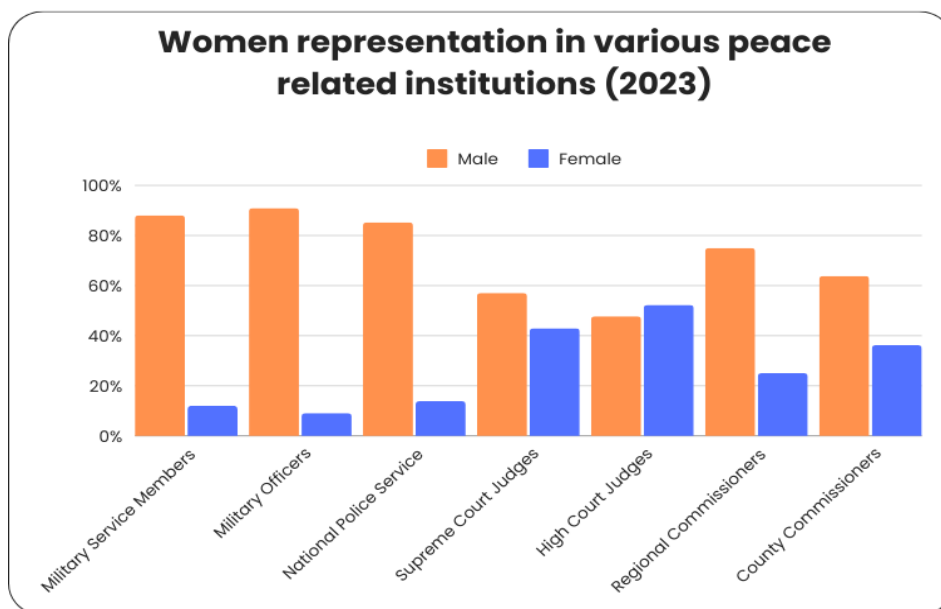


Figure 4: Women in Peace Related Institutions

118. Under the Ministry of Defence driven National Policy for PSO, the Government targeted to strengthen the institutional machinery for gender mainstreaming within the PSO (Peace Support Operations) and to raise women participation to 25 percent by 2028 in line with the UN Security Council Resolution 2242 (2015). As of Sept 2023, Kenya contributed 423 UN peacekeeping personnel, of whom 71 were female (16.8percent), and ranked 41st in the world for contributions (as of 30<sup>th</sup> April 2023). The majority of Kenya’s peacekeeping personnel are deployed to MONUSCO (the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo).

Table 1 UN Peacekeeping Personnel

Type of UN Peacekeeping Personnel	Total	Male	Female (Number and percent of total)
Experts on Mission	19	11	8 (41.1 percent)
Individual Police	13	9	4 (30.7 percent)
Staff Officers	46	31	15 (32.6 percent)
Troops	345	301	44 (12.7percent)

<b>TOTAL</b>	<b>423</b>	<b>352</b>	<b>71 (16.8 percent)</b>
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**119. Challenges**

- i) While Kenya has established frameworks and networks, financial limitations can restrict their effectiveness. Women-led organizations may lack the resources to organize workshops, conduct trainings, or travel to participate in peacebuilding processes. This creates a gap between policy and implementation;
- ii) The safety and security of women peacebuilders, particularly those working in conflict zones, remains a significant concern. Threats of violence, intimidation, and sexual harassment can deter women from actively engaging in peace efforts;
- iii) Deep-rooted patriarchal norms can still hinder women's leadership in peacebuilding. Traditional power structures might exclude women from decision-making tables, and communities may resist their involvement;
- iv) Women often face a heavy burden of domestic responsibilities that make it difficult to dedicate the necessary time and energy to peacebuilding activities. Limited access to childcare or support from family members can further restrict their participation; and,
- v) The lack of comprehensive data on the specific needs and contributions of women peacebuilders in Kenya makes it difficult to advocate for their support and develop targeted interventions.

**120. Lessons Learnt**

- i) There is need for multi-stakeholder partnerships. Collaboration between government, international donors, and private sector actors can ensure sustained funding for women's peacebuilding initiatives. Earmarking a portion of national peacebuilding budgets for women-led organizations is also crucial;
- ii) Investing in security measures is essential. This could involve dedicated security personnel for women peacebuilders, improved lighting and communication infrastructure in conflict areas, and training on personal safety and risk mitigation strategies;
- iii) Shifting mindsets requires a multi-pronged approach. Community outreach programs that educate men and boys about the benefits of women's inclusion are essential.

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Additionally, supporting women's education and leadership development can create a critical mass of women who can challenge traditional norms;

- iv) Work-life balance initiatives are crucial. Providing childcare options during workshops or meetings can be a game-changer. Similarly, encouraging family members to share domestic responsibilities can free up women's time for peacebuilding activities; and,
- v) Investing in data collection and research is essential. This data can be used to demonstrate the impact of women's peacebuilding efforts, justify increased funding, and inform the development of more effective programs.

**In the last five years, what actions has your country taken 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?**

- 121. Kenya is a signatory to the Geneva Conventions of 1949 and the additional Protocol II to the Geneva Conventions in which state parties have obligations to respect, protect and fulfill that stretch across all human rights in the contexts of armed conflict. Kenya has taken legislative, administrative, judicial and other steps towards the full realization of the rights of women and girls so as to provide the framework for the different approaches in terms of regulating the methods of physical confrontation that will be employed in the contexts of armed conflict and domestic criminal and human rights laws.
- 122. The right of women and girls is guaranteed in the Constitution to be treated equally, including the right to equal opportunities to participate in different aspects of their lives and not to be discriminated against on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, and language of birth.
- 123. The Constitutional framework also safeguards the right to freedom and security of the person under Article 29 which includes the right not to be deprived of freedom arbitrarily or without just cause, detained without trial, subjected to torture in any manner, or corporal punishment; or treated or punished in a cruel, inhuman, or degrading manner.
- 124. The enactment of the Refugee Act of 2021 enhanced the rights of refugees in Kenya and in particular the human rights of women and girls' refugees. It acknowledges that refugees in Kenya have rights like everyone else. It establishes government institutions tasked with the

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responsibility of managing refugee affairs. Further, it seeks to provide a safe asylum space for refugees especially the most vulnerable groups such as women, children, persons with disabilities and unaccompanied minors.

125. The Judiciary in Kenya in steps to enhance accountability, has set up a Sexual and Gender Based Violence Strategy to enhance the institutional responses and accountability for violations of humanitarian law and violation of human rights for women and girls in situations of armed conflict or humanitarian action and crises responses. The strategy aims to overcome institutional, social and structural barriers by providing a trauma responsive Justice system for survivors of sexual and gender-based violence.
126. The Judiciary also established 12 GBV Courts which are uniquely designed to handle the delicate nature of GBV-related cases. This provides a much-needed departure from the traditional approach which has often led to re-traumatization of victims. These courts embody a trauma-informed approach that prioritizes the victims' safety, dignity, and privacy.
127. The Office of the Director of Public prosecutions has established a rapid reference guide for the prosecution of sexual offenses in Kenya whose aim is to provide an easily accessible resource for prosecutors to facilitate a coherent, expeditious and efficient prosecution of GBV cases in a manner that will maximize convictions.
128. Additionally, the Judiciary established a Convicted Sexual Offenders Electronic Register in fulfillment of the Sexual Offences Act of 2006. The register will hold a crucial database of all convicted offenders and will ensure easy access to information on convicted sex offenders for relevant authorities. This enhances accountability to perpetrators of sexual violence. The automated Register will serve as a tool for deterrence, prevention, and rehabilitation of sexual offenders. The register will enable the actors in the justice chain to monitor and supervise sexual offenders after their release from prison. It will also enable the public to access information on sexual offenders in their neighborhoods and take precautionary measures to protect themselves and their children.
129. In efforts to enhance the rights of children, the courts introduced practice directions on children in contact with the law have rights and freedoms before the law equal to those enjoyed by adults and, in particular, a right to be heard and to participate in any proceedings of the court that can affect them. The purpose of a trial in a children's matter is to make a determination based on the best interest principle. Case's children in need of care and protection/truancy shall not be used solely to provide any assistance or service needed to care for or protect a child by a negligent parent or guardian. The interests of the public must also be properly represented in the hearing of proceedings in the Court and the Court will also safeguard the rights and interests

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- of victims and witnesses involved in such proceedings as under the Victim Protection Act (no.17 of 2014).
130. The National Police Services developed Standard Operating Procedures (SOPs) for the management of Sexual and Gender Based Violence cases and established mechanisms for effective investigations into the sexual crimes. The National police service additionally established a national forensic laboratory that will go a long way in supporting the detection, prevention and investigations of sexual crimes.
  131. Kenya's National Coordination Mechanism (NCM) on migration housed by the Department of Immigration developed the migration policy for Kenya as well as a curriculum for the proposed Kenya Institute of Migration Studies in order to mainstream the rights of migrant women and girls in Kenya. Similarly, the National Advisory Committee on Counter Trafficking in Persons (CTiP); which coordinates implementation of the CTiP Act, 2010. Established and operationalized the National Assistance Trust Fund for trafficking in Persons to provide assistance to victims of trafficking in persons through rescue, screening, referrals, legal assistance, repatriation, economic empowerment and reintegration. In the last financial year 2022-2023, the Fund was able to repatriate 15 Kenyans who had been trafficked to Laos and Turkey for cybercrimes and sexual exploitation while 36 survivors trafficked to the gulf countries as domestic workers were provided with economic empowerment. Additionally, Guidelines have been developed to provide a framework for disbursement of funds and procedure for assisting identified victims of trafficking.
  132. A recent study by the National Crime Research Center 2022, revealed that human trafficking in Kenya is high. The country experienced trafficking for labour and sexual exploitation; and for cultural purposes. Trafficking for labour accounted for 96 percent and 98.3percent of all trafficking cases in the year 2020 and 2021 respectively. The Study further revealed that external 6 trafficking in persons was the most prominent at 64.7percent while domestic trafficking was 35.3percent. In external trafficking, majority of the victims were adults and youthful females aged 18-34 years. Children were mostly victims of domestic trafficking accounting for 4 out of 10 victims of domestic trafficking.
  133. The Taskforce on Children Matters of the National Council on Administration of Justice Conducted an audit of the status of Children in the Criminal Justice in Kenya. The Task Force findings reveal multiple disconnects between the theory and practice of the law to the detriment of children putting into the spotlight a broken child justice chain-link. It shows that the majority of children's matters handled by the police and judiciary are related to sexual offences (60percent) in which children are largely the victims though male children sometimes also stand

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accused. To a much lesser extent, offences such as stealing and assault bring children into the justice system. Significantly, 20percent of children’s cases handled by the police are those needing care and protection.

134. According to the State Department for Immigration and Citizen Services, Kenya hosts 644,011 refugees from neighbouring countries, with around 623,500 registered refugees and asylum seekers present in the country by the end of October 2023. 85percent of these refugees are from Somalia and South Sudan who live in camps while 15percent live in urban areas. Women and children, who account for 74percent of the total refugee population, are often the most vulnerable and are prioritized under UNHCR’s protection and assistance programmes. Refugee women are particularly vulnerable due to societal restrictions imposed by many cultures, and a sizable number of women and girls (as well as men and boys) are victims of gender-based violence.
135. The Refugee Consortium of Kenya has contributed to the enhancing the protection of the rights of women and girls through the provision of legal aid services to refugees, other forced migrants, to assist them make informed decisions. Additionally, their awareness-raising on the plight and rights of refugees in Kenya and the East African region.
136. The Kenya National Commission on Human Rights in its interventions includes; receiving complaints from women refugees and migrants on human rights violations of migrants and refugees conducting investigations, seeking appropriate redress, reviewing of laws, policies, public awareness creation, public and duty bearers’ capacity building is founded on principles of human rights. This aims to enhance the management and governance of migration in Kenya and adopts a human rights-based approach (HRBA). This means consideration of human rights principles in planning, policy development, design and establishment of administrative processes of migration governance to promote and protect human rights.
137. The National Council on Administration of Justice which is a multi-agency body that comprises of state and non-state actors has established a committee to review the Sexual Offence Act and the attendant laws that is an ongoing process. They have placed the concerns for women and girls in Kenya and seek the provision of the accountability mechanisms for sexual offences in Kenya including humanitarian settings and in armed conflict situations receive adequate protection through the provision.
138. **Challenges**

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- i) Comprehensive data on the nature and extent of human rights violations against women and girls, particularly in conflict zones, is scarce. This makes it difficult to measure progress and target interventions effectively; and,
  - ii) While Kenya has developed frameworks and policies, ensuring their consistent and effective implementation across the country remains a challenge.

### **139. Lessons Learnt**

- i) Collaboration between government, civil society, and international partners is crucial for mobilizing resources, raising awareness, and ensuring comprehensive implementation of accountability mechanisms; and
- ii) Collecting and analyzing data on human rights violations is crucial for informing policy development, resource allocation, and monitoring progress.

### **In the last five years, what actions has your country taken to eliminate discrimination against and violations of the rights of the girl child, including adolescent girls?**

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

- 140. Kenya has domesticated international protocols. Key among these include the United Nations Convention of the Rights of Children (UN CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC). 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's Act 2022 stipulates under Article 23 No person shall subject a child to (a) female genital mutilation; (b) child marriage; (c) virginity testing; (d) girl child beading.
- 141. Under Article 20 (1) a child with disability shall, in addition to the rights guaranteed under the Constitution, have the right to be treated with dignity, and to be accorded appropriate medical treatment, special care, education and training free of charge. In addition to the right under subsection (1), a child with disability shall have the rights and privileges provided under the Persons with Disabilities Act. (3) The State shall establish such institutions facilities including child care facilities, health facilities and educational institutions as may be necessary to ensure the progressive realization of the right under this section.

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

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142. 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. The Children's Act 2022 also reinforces within Article 23(1)(b) No person shall subject a child to FGM. Since FGM was banned in Kenya in 2011, the country has made significant strides in reducing the practice. The 2022 Kenya Demographic and Health Survey shows a decline in FGM prevalence with the rate dropping to 15 percent in 2022, from 21 percent in 2014 (KDHS 2022).
  143. Kenya has developed and is implementing the community dialogue guidelines to end FGM and by extension teenage pregnancies through community owned initiatives. County and Sub-County FGM multi sectoral committees aim to domesticate and implement the National Policy for eradication of FGM, 2019.

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

144. The Area Advisory Councils (AACs) under the 69 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.
145. School re-entry policy and the subsequent guidelines to ensure the already pregnant girls and teenage mothers are reintegrated back into the school system as an empowerment tool. 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 Basic Education Amendment Act (2016) further strengthens the government's commitment to menstrual health management. This Act places the legal responsibility of providing free, sufficient and quality sanitary towels on the government, along with a safe disposal mechanism. This ensures all school girls who have reached puberty can access these essential products.
146. 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. There has been a measurable increase in girls' school enrollment, particularly at the primary level (Gender Parity Index approaching 1.0). This signifies that Kenya is nearing equal enrollment for boys and girls in primary education. Additionally, there's a rise in the transition rate of girls from primary to secondary education. Kenya's 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)

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include the Basic Education Act, which underpins the government's 100percent transition policy. This policy ensures all children, including girls, enroll in primary school and have the opportunity to complete secondary education. These outcomes emphasize the importance of a multi-pronged approach, combining legal frameworks, community engagement, and financial support to achieve gender parity in education.

147. The national re-entry guidelines 2020 have been developed with a focus on learners who drop out of school for various reasons, including but not limited to early pregnancies, drug and substance abuse, HIV and AIDS, Gender Based Violence, inhibitive cultural practices, child labour, special needs and disabilities.
148. Analysis of Kenya's education sector in 2024 through the lens of girls' participation reveals a promising trend as highlighted in key developments:
  - i) Enrolment of girls in pre-primary schools increased from 1,395,973 in 2020 to 1,452,636 in 2023;
  - ii) Enrolment for girls in primary school increased from 4,978.7 thousand in 2020 to 5029.1 thousand in 2023;
  - iii) Secondary school enrollment grew from 1768.9 thousand in 2020 to 2084.9 thousand in 2023;
  - iv) The number of registered KCPE candidates went up from 588742 in 2020 to 689054 in 2023;
  - v) Girls who were registered for KCPE living with disabilities (Blind, low vision, deaf and physically handicapped) rose from 1158 in 2020 to 1542 in 2023;
  - vi) In terms of performance the number of female candidates with C+ and above increased by 24.9percent which translates to 96,247 in the year 2023 from the year 2022 which reflects a good improvement;
  - vii) Vocational Training (VTIs) Enrolment also improved from 36989 in the year 2020 to 49171 in 2023;
  - viii) (TVET) Technical Vocational Institutions Enrolment also improved from 156132 in 2020 to 246220 2023; and,
  - ix) Transition into university for the girls has also been on an upward trend, the enrolment has improved from 220,828 in 2020/21 to 250,026 in 2023/24.

Institution	2019		2020		2021		2022		2023*	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Other TVET Institutions</b>										
Public Technical and Vocational Colleges <sup>2</sup>	65,347	46,763	76,416	53,648	88,642	62,285	92,238	77,422	161,439	127,096
Private Technical and Vocational Colleges <sup>2</sup>	39,484	41,376	41,879	42,446	42,716	44,441	64,296	52,659	42,196	51,632
Vocational Training Colleges <sup>3</sup>	81,421	54,129	89,663	60,038	97,624	65,381	85,155	77,116	88,254	67,492
<b>Sub Total</b>	<b>186,252</b>	<b>142,268</b>	<b>207,958</b>	<b>156,132</b>	<b>228,982</b>	<b>172,107</b>	<b>241,689</b>	<b>207,197</b>	<b>291,889</b>	<b>246,220</b>
<b>Total</b>	<b>328,520</b>		<b>364,090</b>		<b>401,089</b>		<b>448,886</b>		<b>538,109</b>	
<b>Grand Total</b>	<b>430,598</b>		<b>451,205</b>		<b>503,798</b>		<b>562,499</b>		<b>642,726</b>	

Source: Technical Vocational Education and Training Authority (TVETA)

\* Provisional

<sup>1</sup> Formerly Kenya Technical Training College

<sup>2</sup> Formerly Technical Training Institutes

<sup>3</sup> Formerly Youth Polytechnics

.. Data not available

Figure 5 TVET Enrolment adapted from Kenya Economic Survey 2024

Programme	2019/20			2020/21			2021/22			2022/23			2023/24*		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
<b>Degree<sup>1</sup></b>															
Public Universities	42,939	29,038	71,977	55,373	39,702	95,075	56,620	42,055	98,675	52,889	42,450	95,339	73,078	58,690	131,768
Private Universities	9,672	7,839	17,511	14,677	13,079	27,756	15,281	14,380	29,661	14,865	14,736	29,601	4,862	4,762	9,624
<b>Sub-Total</b>	<b>52,611</b>	<b>36,877</b>	<b>89,488</b>	<b>70,050</b>	<b>52,781</b>	<b>122,831</b>	<b>71,901</b>	<b>56,435</b>	<b>128,336</b>	<b>67,754</b>	<b>57,186</b>	<b>124,940</b>	<b>77,940</b>	<b>63,452</b>	<b>141,392</b>
Diploma	35,024	29,515	64,539	26,165	30,290	56,455	43,108	46,972	90,080	36,037	42,732	78,769	51,921	63,271	115,192
Certificate	20,896	22,766	43,662	13,531	18,181	31,712	18,413	25,324	43,737	17,567	23,921	41,488	23,791	35,441	59,232
Artisan	4,264	3,458	7,722	2,965	3,477	6,442	4,750	5,873	10,623	4,952	5,810	10,762	6,855	7,496	14,351
<b>Grand Total</b>	<b>112,795</b>	<b>92,616</b>	<b>205,411</b>	<b>112,711</b>	<b>104,729</b>	<b>217,440</b>	<b>138,172</b>	<b>134,604</b>	<b>272,776</b>	<b>126,310</b>	<b>129,649</b>	<b>255,959</b>	<b>160,507</b>	<b>169,660</b>	<b>330,167</b>

Source: Kenya Universities and Colleges Central Placement Service (KUCCPS)

\*Provisional

<sup>1</sup>There were a change in higher education provision model

Figure 6 Government Sponsored University and TVET students adapted from Kenya Economic Survey 2024

## Education Equity Programs

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149. Kenya has implemented various equity-focused programs to ensure that all children, including girls, have equal access to quality education. Kenya Primary Education Equity in Learning Program (KPEEL) benefited 17,484 learners with scholarships and Secondary Education Equity in Learning Program (SEQIP) benefited 9,900 in 2023. There is affirmative action in which 55percent of scholarships go to benefit girls. Other equity enhancement programs of various learner support programs including mentorship program effected through a mentorship policy, guidance and counseling, positive discipline, school health and The Ministry of Education scholarship programs through bursaries, gender responsive curriculum, life skills, dignity kits, collaboration with NGOs and International Partners e.g., GEC (Girls Education Challenge) and Kenya National Commission for UNESCO, the framework for supporting refugee learners, implementing the Djibouti declaration of refugee Education.
  150. Another step up is that the presidential Working Party Report of 2023 recommended capitation/allocation per head to be increased from the current 1420 figure to 2328 per learner in primary education, and Ksh. 22,240 up from Ksh. 18,470. SNE capitation grants for boarding, equipment and stores at Kshs. 11,000 per learner per year according to enrollment. There has been introduced ‘Top-Up grants’ at Kshs. 2,300 per learner per year for instructional materials for SNE learners in addition to the Kshs. 1,420 FPE grants for regular learners.
  151. At the Junior Education Kshs 35,730 is allocated per learner per year same to pre-vocational level. At Teacher Training College entry; ‘C’ (plain) for Diploma courses for regular learners and ‘C minus (-) for trainees with disability. This has gone a long way to support girls. In 2015, the Communications Authority rolled out a Child Online Protection (COP) programme bringing together various stakeholders, to equip both children and their parents or guardians with information and skills to enable them practice safe Internet use and minimize/eliminate exposure to risks and vulnerabilities. Over the years, this campaign has triggered the development of other initiatives, services and mechanisms that ensure child safety online.

## **Health**

152. 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. This also aligns with one of the nine-point agendas of the BETA. (Bottom-Up Economic Transformation Agenda). 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-abortal care services to

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adolescents. The government has also introduced the human papillomavirus vaccine to help in prevention of cervical cancer. Despite numerous policies, legislative reforms, plans, and programs targeting girls, Kenya acknowledges the persistence of gender disparities.

**153. Challenges:**

- i) Harmful traditional practices like FGM and early marriage continue in some communities, hindering girls' education, health, and overall well-being. Changing social norms requires sustained engagement and community education efforts;
- ii) Financial constraints can limit the effectiveness of programs like free sanitary towels or scholarships for girls. Ensuring consistent funding and resource allocation remains crucial;
- iii) The transition from strong legal frameworks to consistent implementation across the country presents a challenge. Reaching remote areas and ensuring adherence to policies requires robust monitoring and accountability mechanisms;
- iv) While data collection is ongoing, a more comprehensive understanding of the specific challenges faced by different groups of adolescent girls is necessary for targeted interventions; and,
- v) The requirement for parental consent may limit girls' access to essential sexual and reproductive health services, potentially impacting their health and well-being.

**154. Lessons Learnt**

- i) Combining legal frameworks, community engagement, financial support, and access to education and healthcare services is vital for achieving lasting progress;
- ii) A robust legal foundation provides a strong deterrent against harmful practices and a benchmark for upholding girls' rights;
- iii) Increased access to education empowers girls, improves health outcomes, and fosters brighter futures;
- iv) Collaboration with community leaders, religious figures, and traditional stakeholders is critical to shifting social norms and achieving sustainable change;
- v) Investing in data collection and analysis allows for better program design, monitoring progress, and identifying areas for improvement; and,

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- vi) Finding a balance between parental involvement and ensuring adolescents can access essential healthcare services is crucial for their well-being.

## F) ENVIRONMENTAL CONSERVATION, PROTECTION AND REHABILITATION

### Critical areas of concern:

- I. Human rights of women
- K. Women and the environment
- L. The girl child

### In the past five years, what actions has your country taken to integrate gender perspectives and concerns into environmental policies, including climate change adaptation and mitigation, biodiversity conservation and land degradation?

- 155. Gender integration in climate change policy is important to ensure gender-appropriate responses and support to climate change impacts. Careful consideration of differentiated gender impacts should prevent the deepening of inequality in climate change policy and address the structural factors that cause or uphold the discrimination of women. The implementation of Kenya's NDC as well as efforts towards low carbon and climate-resilient development requires inclusive and gender-responsive approaches that address the factors that maintain inequalities, constrain women's opportunities and limit their ability to plan and adapt to climate change.
- 156. To address the impacts of climate change, the Government has been initiating adaptation, mitigation, and resilience efforts across the country in partnership with various partners with notable efforts in the legal frameworks and institutional reforms to address climate change better. **The Constitution of Kenya** lays a strong foundational provision on environment and natural resources. Various measures have been undertaken as follows:
  - i) **A Climate Fund** has been established by the Government to provide a financing mechanism for priority climate change actions and interventions approved by the council. During the COP26 Climate Conference in Glasgow, Kenya announced its plan to work with African countries that form the 'Giants Club' conservation group (a group of African nations consisting of Kenya, Uganda, Gabon, Rwanda, Botswana and Mozambique) to raise

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resources for investment in the continent's climate change mitigation programmes. Kenya also announced an ambitious plan to plant an additional two billion trees and to set up a US\$5 billion Tree Growing Fund towards reforestation measures.

- ii) **The National Environmental Management Authority (NEMA)** in the Ministry of Environment and Mineral Resources (MEMR), the National Climate Change Activities Coordinating Committee, and the Kenya Meteorological Department in the Ministry of Transport are the major components of the government's institutional framework tasked with the day-to-day building of climate resilience.
- iii) **The Climate Change Act 2016** establishes a National Climate Change Council, which is chaired by Kenya's President, with the authority to oversee "the development, management, implementation and regulation of mechanisms to enhance climate change resilience and low carbon development for the sustainable development of Kenya", by the National and County Governments, the private sector, civil society, and others.
- iv) **The National Climate Change Council (NCCC)** at the highest level and is chaired by the President of the Republic of Kenya gives oversight and guidance on the integration of climate into the national development and policy-making processes. The NCCC also ensures that climate change is treated as a cross-cutting developmental and environmental issue and provide an overarching national climate change coordination mechanism and ensures the mainstreaming of climate change functions by the national and county governments and approves and oversees the implementation of the **National Climate Change Action Plan (NCCAP)**. The NCCAP expects the public sector to play a role in the planning, implementation and monitoring of climate change interventions, with an emphasis on enhancing adaptive capacity and improving the ability to withstand climate shocks. The private sector is also expected to take measures towards reducing GHG emissions from business operations.
- v) **National Tree Planting initiatives:** In December 2022, the Government led by H.E (Dr.) William Ruto, The President of the Republic of Kenya, launched the national initiative of planting of 15 billion trees by 2032 with an aim to reduce greenhouse emissions, stopping and reversing deforestation and restoring 5.1 million hectares of deforested and degraded landscapes through the African Landscape Restoration Initiative. To support this initiative, KEPSA Foundation through its '*Kijani Initiative*' partnered with H.E. Rachel Ruto, the First Lady of the Republic of Kenya, to plant and grow 500 million leveraging the outreach of over 13,000 women groups countrywide. This is to help increase the forest cover from the current 12percent to 30percent and mitigate the negative impact of climate change. This

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has been through partnerships towards establishing Mama Fruit gardens and nurseries in schools. The partnership has established tree nurseries with a capacity of over 100,000 seedlings in schools, while established orchards are serving as sources of nutrition and income for schools.

- vi) **Carbon trading** is where individuals or communities can earn issued carbon credits by investing in carbon projects such as tree planting. The Kenya Forest Service (KFS) entered into an agreement with the global audit firm BDO in 2022 to enable the government agency to generate significant revenue by offsetting carbon dioxide emissions. Under this arrangement, KFS will earn US\$ 15 (approximately Ksh. 1868) for each ton of carbon dioxide that is effectively removed from the atmosphere through preservation and maintenance of government forests. Adoption of carbon trading by communities can increase revenue and help improve tree coverage.
157. **Sectoral climate change policies and initiatives** and initiatives developed with relevance to climate change mitigation and adaptation include **Kenya Climate Smart Agriculture Strategy (CSA) 2017 – 2026**: This aims at adapting to climate change, building resilience of agricultural systems while minimizing emissions for enhanced food and nutritional security and improve livelihoods; **Forest Conservation and Management Act of 2016 and the National Forest Programme (2016–2030)**: These aim to increase forest cover, boost the forest sector’s contribution to the national economy, enhance resilience to climate change, and improve livelihoods.

**In the past five years, what actions has your country taken to integrate gender perspectives into policies and programmes for disaster risk reduction and building environmental and climate resilience?**

158. The Government has put in place comprehensive legal and policy frameworks on climate change, environmental and disaster risk reduction which provide a cohesive basis for gender-responsive governance that fulfils the rights and needs of women and girls. The Constitution further states that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and in accordance with principles that include equitable access to land; security of land rights; sustainable and productive management of land resources; sustainable and productive management of land resources; elimination of gender discrimination in law, customs and practices related to land and property in land.
159. **Kenya’s Nationally Determined Contribution (NDC)** has been revised and updated and commits to abate Greenhouse Gas emissions by 32 per cent compared to the first NDC target of 30 percent by 2030. Further, unlike the first NDC that was fully conditional to support, the

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updated NDC commits to mobilize resources to meet 13 per cent of the estimated implementation budget of USD 62 Billion, requiring international support of 87 per cent.

160. In order to ensure that gender-responsive actions were identified, planned, budgeted for and implemented as part of mainstreaming gender into Kenya's NDC, Gender Analysis focusing on the key NDC sectors of Agriculture, Energy and Water have been undertaken to explore the gender-differentiated impacts of climate change by looking at existing gender inequalities in access to and use of resources, participation, and benefits between various gender groups and Analyzing the extent to which gender issues have been considered within Kenya's policy, legal, and institutional frameworks and their suitability for supporting gender-responsive climate change actions. The gender analysis provides strategic recommendations on governance, planning, and policy that will strengthen the integration of gender equality into NDC planning and implementation processes.
161. **The Climate Change Act 2016 No. 11 of 2016** has been put in place by the Government to provide a regulatory framework for enhanced response to climate change and provide for mechanisms and measures to achieve low carbon climate development. The Climate Change Act is the first comprehensive legal framework for climate change governance. The Act established the National Climate Change Council, the Climate Change Directorate, and the Climate Change Fund. The Act requires that national and county governments mainstream intergenerational and gender equity in all aspects of climate change responses. The guiding principles in applying the provisions of the Act include: ensuring equity and social inclusion in the allocation of effort and costs and benefits to cater for special needs, vulnerabilities, capabilities, disparities and responsibilities of vulnerable populations including women.
162. **The Climate Change Act, (section 8)**, mandates the Cabinet Secretary in charge of matters related to climate change to formulate a national gender and intergenerational responsive public education and awareness strategy on climate change and implementation programmes. This is a positive gesture, further ensuring that women are heard on all fronts.
163. **The Climate Change Act** calls for the creation of a climate change unit in each ministry to be responsible for integrating the 5-year National Climate Change Action Plans in sector strategies and implementation plans, though most ministries have a climate change focal point, not necessarily with high hierarchical influence. In the NDC priority sectors the Ministry of Agriculture, Livestock, and Fisheries, Ministry of Water, Sanitation and Irrigation, and the Ministry of Energy, all have climate change and gender focal points seconded from the Ministry of Public Service, Youth and Gender.

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164. **Inter-ministerial National Climate Change Coordination Committee**, which consists of senior-level members from the Climate Change Directorate, the various ministries including the Ministry of Gender, and representatives from the private sector and civil society. The Committee has authority to oversee "the development, management, implementation and regulation of mechanisms to enhance climate change resilience and low carbon development for the sustainable development of Kenya", by the National and County Governments, the private sector, civil society, and others.
  165. The Government in 2015, put in place the **National Adaptation Plan (NAP)** to improve climate resilience. The NAP contains the Adaptation Technical Analysis Report (ATAR), which examines sectoral economic vulnerabilities, identifies adaptation needs, and suggests potential adaptation actions in different counties. The NAP supports the development of local County Integrated Development Plans (CIPDs), which includes the establishment of County Climate Change Funds (CCCFs). **NAP** recommends that the adaptation actions be implemented with gender considerations such that all data collected for monitoring and evaluation purposes are gender-disaggregated and analyzed accordingly.
  166. **The Government has put in place the National Adaptation Plan II (NAP II)** builds on the learnings made in the implementation of NAP. The National Climate Change Action Plan II identifies gender equality as a critical component of the plan. It recognizes that the adverse effects of climate change will exacerbate existing gender inequalities in the country and commits to advancing gender equality and equity. NAP II proposes budget allocation for gender, vulnerable groups and youth.
  167. **The National Climate Change Action Plan (NCCAP 2018–2022)**. The plan focuses on adaptation and mitigation measures the country can take, with the aim of "low carbon climate resilient development". The National Climate Change Action Plan incorporates and addresses gender and women's issues. The importance of women in leadership can be seen at the implementation level. For example, in 2016, Kenya's Cabinet Secretary, in charge of matters related to climate change and the environment, was a woman. It was during her tenure that the Climate Change Act, 2016 was enacted. The Act has solid provisions that ensure that women's contribution to climate change adaptation and mitigation are adequately considered.
  168. The Climate Change Directorate has been established by the Government to deliver operational coordination and provide technical assistance on climate change actions and responses to county governments. The Climate Change Directorate is housed within the Ministry of Environment and Forestry, and is the lead government agency on national climate change actions and delivery

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of operational coordination, mandated with supporting different sectors and ministries on climate change.

169. **The Directorate** position, created under the Act, indicates the extent to which the Kenyan state has prioritized women's needs albeit as a vulnerable group. The Directorate also coordinates the implementation of gender and intergenerational climate change education, consultation and learning at the national and county government levels. This position is further strengthened by the inclusion of procedures to ensure gender and intergenerational equity in access to monies from the fund (Climate Change Act, No. 11 of 2016).
170. **The Climate Change Act (Section 21, 24 and 30)** requires that the Cabinet Secretary responsible for climate change affairs lead the formulation of a Gender and Intergenerational Climate Change Education and Awareness Strategy and the Directorate to coordinate its implementation. The Act integrates climate change into various disciplines and subjects of the national education curricula at all levels. It also provides for general public participation, requiring involvement by the public (Women and men) in all instances where public entities develop strategies, laws and policies related to climate change.
171. The **National Climate Change Framework Policy, 2016** facilitates a coordinated, coherent and effective response to the local, national and global challenges and opportunities presented by climate change. An overarching mainstreaming approach has been adopted to ensure the integration of climate change considerations and support the goal of low carbon climate-resilient development. The framework integrates gender through gender-sensitive and inclusive approaches, the responsiveness of actions and measures, and inclusive decision making and implementation. Importantly, the National Climate Change Framework Policy sets the foundation for all other climate change policies, strategies and plans including for the implementation of gender-responsive NDCs.
172. Devolved Climate Change Funds for Financing Locally Led Climate Action (FLLoCA) that finance locally-led solutions are often led by women. Further, Kenyan women are key stakeholders in international climate change forums like UNFCCC and COP28 (series). There has also been an increase in the number of women - led NGOs that advocate for climate justice climate change.
173. **Challenges**
  - i) Inadequate resource reallocation amongst competing priorities affects transition to a low carbon Climate resilient economy; and, lack of a legal framework for

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- mainstreaming climate change across the different sectors has inhibited the full-scale mainstreaming of climate change adaptation and mitigation;
- ii) The Climate Change Act, 2016 bridges this gap by providing the requisite legal framework for enhanced response to climate change, including mainstreaming into planning, budgeting and implementation processes;
  - iii) The Paris Agreement imposes more reporting requirements on climate action and support thus necessitating capacity building for timely and efficient reporting;
  - iv) Land and environmental degradation;
  - v) Low-levels of awareness on climate change impacts, challenges and opportunities; Delivering on the Constitutional provisions, for example, Article 42 on the right to a clean and healthy environment, among others. Cross border and Transboundary management of natural resources especially for shared resources such as Lake Victoria and the River Nile Basin, the Mara-Serengeti ecosystem, where conflicts are experienced at particular points, and across the whole resource; Rapid population growth and the resultant unplanned settlements have led to the displacement and increased vulnerability of communities;
  - vi) With regard to Persons with Disabilities, sexual exploitation of women and girls during extreme weather conditions remain a challenge whereas disaster and emergency response interventions rarely factor their specific needs. For instance, accessibility barriers in rescue centres; and,
  - vii) Human-wildlife conflict is also rampant in some communities and inadequate access to clean water especial in the ASAL communities.

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## SECTION FOUR: NATIONAL INSTITUTIONS AND PROCESSES

Please describe your country's national strategy or action plan for gender equality, including its name, the period it covers, its priority, funding and alignment with the 2030 Agenda for Sustainable Development, including the targets under SDG 5.

174. Kenya has developed a National Action Plan to Implement Sessional Paper No. 2 of the National Policy on Gender and Development (2023 - 2027). The overall goal of the Plan is to provide coordination and implementation framework for NPGAD which is: *'achieve gender equality by creating a just society where women, men, boys and girls have equal access to opportunities in the political, economic, cultural and social spheres of life'*.
175. The specific objectives of the Plan are to: provide time-bound framework to operationalize the policy actions, facilitate and accelerate the implementation of the Policy and provide clear indicators for measuring achievements on GEWE and strengthen advocacy and resource mobilization for implementation of the Gender Policy.
176. The Plan addresses eighteen thematic areas which are also aligned to the critical areas of the BPFA and SDG Goal 5. These are : Poverty eradication, Labour and the economy, Education, Culture and Behavioral change, Access to Health Care, Labour Housing and Agriculture, Environment and Natural Resources, Peace and Security, Governance, Power and Decision-making, Information, Communication and Technology, Respect for the Human Rights of all, Intersectional Discrimination, Sexual and Gender Based Violence, The Girl Child and the Boy Child, The Media, Access to Justice, Institutional Mechanisms for the Advancement of Gender Equality and Women's Empowerment.
177. The Plan has an implementation framework which captures the thematic areas, activities indicators, timelines and responsibilities of the different actors. It is intended that the implementation matrix will be used to assess implementation of the policy. Each stakeholder is responsible for their own results for each policy objective. The responsibility for accountability of implementation rests with each of the actors and executing agencies. Annual performance review shall be spearheaded by the Department responsible for Gender and the National Gender and Equality Commission and will be carried out as part of the normal performance review cycles to assess progress. A Monitoring and Evaluation (M&E) tool shall be developed using the indicators in the implementation matrix, to monitor and track progress in implementation of the NAP.

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Please describe your country's system for tracking the proportion of the national budget that is invested in the promotion of gender equality and the empowerment of women (gender-responsive budgeting), including the approximate proportion of the national budget that is invested in this area.

178. **Control of Budget Management Information System (COBMIS)** - There is evidence of progress on strengthening financial systems to track and make public, allocations to gender equality and empowerment of women and girls. In 2023, the needs assessment, design, and implementation of the Control of Budget Management Information System (COBMIS) was finalized by the Office of Controller of Budget in partnership with UN Women and UNICEF under the UN Joint Devolution Programme (UNJDP).
179. **Standard Charter of Accounts (SCOA) system.** SCOA is the accounting system used by the National Treasury to improve public financial management (PFM) processes such as allowing consistency between budget allocations and integrated financial management system (IFMIS) codes, facilitate performance accounting and integrating recurrent and development activities. The system was update with gender specific codes to track the gender financing from the allocation by the national treasury in partnership with UN Women and UNICEF.
180. Both the SCOA and IFMIS are directly connected with IFMIS to able to track the amount of funds that goes straight to programmes and projects. The budget figures can be obtained through IFMIS and Financial Statements.

**What formal mechanisms are 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?**

181. The National Gender and Equality Commission (NGEC): The Ministry works closely with the NGEC; an independent statutory body mandated to promote gender equality and monitor compliance with international commitments. The NGEC engages various stakeholders to advance gender equality and women's empowerment in line with the BPfA and the 2030 Agenda.
182. Gender and Development Technical Committee: The Ministry convenes the Gender and Development Technical Committee, comprising representatives from government ministries, civil society organizations, academia, and other stakeholders. This committee provides technical guidance and oversight for gender mainstreaming efforts across different sectors, aligning with the BPfA and the 2030 Agenda.

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183. **Gender Mainstreaming Guidelines:** The Ministry develops and disseminates gender mainstreaming guidelines to government ministries, departments, and agencies (MDAs) to ensure the integration of gender perspectives in policies, programs, and projects. These guidelines provide a framework for incorporating gender considerations into all development activities.
  184. **Gender-Based Violence (GBV) Policy and Action Plan:** The Ministry leads efforts to address gender-based violence (GBV) through policy development and action plans. This includes initiatives to prevent and respond to GBV, support survivors, and promote gender-sensitive approaches to justice and law enforcement.
  185. **Capacity Building Workshops and Training:** The Ministry conducts capacity-building workshops and training programs for government officials, civil society organizations, and other stakeholders on gender equality, women's empowerment, and the BPfA and the 2030 Agenda. These activities enhance awareness and skills for effective implementation and monitoring.
  186. **Gender Data Collection and Analysis:** The Ministry promotes gender-disaggregated data collection and analysis to inform policy formulation and monitoring of progress towards gender equality goals. This includes monitoring indicators related to women's participation, access to resources, and outcomes in development programs.
  187. **Partnerships and Collaboration:** The Ministry fosters partnerships and collaboration with civil society organizations, development partners, and the private sector to leverage resources and expertise in advancing gender equality and sustainable development goals. These partnerships strengthen collective efforts towards achieving the BPfA and the 2030 Agenda.
  188. Through these formal mechanisms, the Ministry of Gender, Culture, The Arts and Heritage plays a pivotal role in promoting gender equality, women's empowerment, and sustainable development in Kenya, aligning with international commitments such as the BPfA and the 2030 Agenda.
    - i) **National Gender and Equality Commission (NGEC):** The NGEC serves as an independent statutory body mandated to promote gender equality and monitor compliance with international and regional commitments, including the Beijing Declaration and Platform for Action. It engages with various stakeholders to advance gender equality and women's empowerment across different sectors;
    - ii) **National Steering Committee on Gender and Development:** Kenya has a National Steering Committee on Gender and Development, which provides strategic guidance

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and oversight for gender mainstreaming efforts across government ministries, departments, and agencies. The committee coordinates the implementation of gender-related commitments, including those outlined in the Beijing Declaration and the 2030 Agenda;

- iii) **National Coordination Mechanisms for Sustainable Development:** Kenya has established national coordination mechanisms for sustainable development, including the National Sustainable Development Goals (SDGs) Coordination Unit within the Office of the President. These mechanisms engage multiple stakeholders, including government agencies, civil society organizations, academia, and the private sector, in the implementation, monitoring, and reporting of progress on the SDGs, which align with the 2030 Agenda;
- iv) **Multi-Stakeholder Platforms:** Kenya fosters multi-stakeholder platforms and partnerships to promote inclusive participation in the implementation of gender equality and sustainable development initiatives. These platforms bring together government entities, civil society organizations, academia, private sector actors, and international development partners to collaborate on policy development, program implementation, and monitoring and evaluation;
- v) **Sectoral Working Groups:** Various sectoral working groups have been established to mainstream gender considerations into specific policy areas and sectors, such as education, health, agriculture, and environment. These working groups facilitate dialogue, coordination, and joint action among stakeholders to address gender disparities and advance women's rights and empowerment within each sector;
- vi) **Public Participation Forums:** Kenya holds public participation forums at the national, county, and community levels to engage citizens in decision-making processes related to gender equality, sustainable development, and human rights. These forums provide opportunities for diverse stakeholders, including women, youth, marginalized groups, and persons with disabilities, to voice their perspectives, priorities, and concerns; and,
- vii) Overall, these formal mechanisms provide platforms 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 in Kenya. By promoting inclusivity, collaboration, and accountability, these mechanisms contribute to advancing gender equality, women's empowerment, and sustainable development in the country.

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

189. The Government acknowledges the significance of strategic partners and stakeholders in the national mechanisms and structures established for the implementation of the BPfA. To ensure an inclusive and participatory process, various stakeholders were engaged, including Parliament and its committees, County Governments, civil society organizations, women's organizations, academia and experts, faith-based organizations, the private sector, youth-led organizations, male-led organizations, special groups such as individuals with disabilities, and development partners, including UN agencies.
190. With respect to the Sustainable Development Goals (SDGs), the government recognizes that successful implementation relies on a robust institutional framework with clearly defined roles, responsibilities, and accountability mechanisms. To this end, a formal institutional framework was established through an executive order issued on May 5, 2016. This framework mandates the ministry responsible for planning to coordinate SDG implementation in the country. Membership includes national government ministries, departments, and agencies, as well as civil society organizations, county governments, the private sector, development partners, and UN agencies.

**Please describe your country's 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.**

191. Kenya is a signatory to various international and regional human rights instruments that protect and promote the rights of special interest groups including women, youth, Persons with Disabilities (PWD), minority and marginalized groups, children and older members of society. Article 2(6) of the Constitution of Kenya, 2010, provides that any treaty or convention ratified by Kenya shall form part of the laws of Kenya.
192. Convention on Elimination of Discrimination Against Women (CEDAW): The 9th periodic report of the Republic of Kenya on implementation of the CEDAW was through both participatory and consultative where inter-ministerial representatives, the Civil Society Organizations, research and academic institutions as well as the international organizations operational in Kenya the state in party report was due on November 2021. Prior to this Kenya developed a National Action Plan on the CEDAW Committees Concluding Observations on the 8<sup>th</sup> Periodic Report which contributing to the development of the 9<sup>th</sup> Periodic report.

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193. Universal Periodic Review Process: Kenya’s human rights record was reviewed for the 3rd time under the Universal Periodic Review Process in January 2020 during the 35th session of the UPR Working Group. During the interactive dialogue session, 118 delegations made statements and Kenya received 319 recommendations. Out of these 263 received support and 56 were noted. Specific recommendations were also made towards addressing discrimination and gender equality which included women’s rights and their participation in decision making, women empowerment, women peace and security equality and non- discrimination, harmful cultural practices.
  194. To ensure proper implementation of the accepted recommendations, The Office of the Attorney General developed a comprehensive implementation plan. It outlines the tasks to be undertaken to implement the UPR recommendations, indicators to monitor the progress made; responsible actors for each task, including CSOs and development partners; and timelines within which the tasks should be undertaken and completed. The implementation plan covers the period 2021-2025. The implementation plan outlines the tasks to be undertaken to implement the UPR recommendations, indicators to monitor the progress made; responsible actors for each task, including CSOs and development partners; and timelines within which the tasks should be undertaken and completed. The implementation plan covers the period 2021- 2025. The national consultation phase is ongoing and stakeholder submissions are due on the 26th September 2024 and the National report on the 2nd January 2025.
  195. **Convention Against Torture:** KNCHR submitted Report to Committee Against Torture on review of Kenya’s 3<sup>rd</sup> Periodic Report on the implementation of the provisions of the Convention Against Torture and other cruel, inhuman or degrading treatment or punishment. Responses on key issues including Sexual and gender-based violence, remedies for victims and survivors of sexual violence, marital rape, FGM, and access to safe abortion care services were made.
  196. In 2021, the State Department for Gender and Affirmative Action in partnership with UN Women, Developed a National Monitoring and Evaluation Framework for Kenya’s report on Beijing Platform Action+ 25. The document proposes a framework of indicators for Kenya to monitor progress on the Beijing+25 Declaration action items. It maps a set of indicators to the National-level commitment on Advancing Gender Equality and Women’s Empowerment and to track the status of the declaration’s commitments.
  197. The National Gender and Equality Commission NGEC developed a Monitoring Tool for Assessing Compliance with Concluding Observations and Recommendations Issued to the Government of Kenya under CEDAW, CRC, and CRPD to aid in tracking recommendations for future reporting cycle under the three treaties.

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## SECTION FIVE: DATA AND STATISTICS

**What are the most important areas in which your country has made most progress over the past five years when it comes to gender statistics at the national level?**

- i) Kenya is among the twelve pathfinder countries that are implementing the UN Women Programme Initiative of Making Every Woman and Girl Count (MEWGC). The initiative aims at creating radical shift in how gender statistics are produced and used. Further, implementation of the program in the country is overseen by the Interagency Gender Statistics Technical Working Committee which is co-chaired by the State Department for Gender and the Kenya National Bureau of Statistics;
- ii) Kenya has conducted new surveys to produce national baseline information on specialized topics such as gender-based violence, focus on the situation of people living with disability, and time-use survey. Additionally, there is inclusion of social inclusion/inequality issues in the National Economic Surveys within the reporting period;
- iii) 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;
- iv) Gender statistics have also informed enactment of legislation such as the Prevention of Domestic Violence Act, 2015 among others; Kenya has made progress in disaggregating data by sex, age etc. in management information systems in different sectors e.g., Education, health, land;
- v) Kenya successfully conducted its first digital population and housing census in August 2019. The census addressed most of the existing data gaps and enhanced data disaggregation in line with the SDGs principle of leaving no one behind. Further, the 2019 KPHC also incorporated the intersex; and,
- vi) Development of The Gender Sector Statistics Plan (GSSP) which is a part of the Kenya Strategy for the Development of Statistics (KSDS) aimed at strengthening Kenya's statistical capacity in gender statistics. The Plan offers strategic direction for the sector for the period 2019/20–2022/23.

**Over the next five years, what are your country's priorities for strengthening national gender statistics?**

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

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- i) Strengthen the policy and financial environment to enable gender-responsive national adaptation and effective monitoring of the SDGs;
  - ii) 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;
  - iii) Improve the use of gender statistics by different players to inform advocacy, research, policies and programmes; and,
  - iv) Development of the second generation of the Gender Sector Statistics Plan (GSSP).

### **What gender-specific indicators<sup>1</sup> has your country prioritized for monitoring progress on the SDGs?**

All the 85 gender related indicators in the SDGs but with a particular focus on all indicators (14) under SDG 5 have been prioritized for monitoring progress on SDGs.

#### **Challenges**

Some of the challenges include:

- i) Inconsistency and/or lack of disaggregated data to monitor progress and impact; and,
- ii) Inadequate tools and systems at National and County level to collect disaggregated data and relate to various aspects of gender equality at the household level.

### **Which data disaggregation<sup>2</sup> are routinely provided by major surveys in your country?**

In Kenya, major surveys routinely provide data disaggregation across several key dimensions to ensure comprehensive analysis and informed policy-making. These surveys are often conducted by the Kenya National Bureau of Statistics (KNBS) and other agencies. The disaggregation includes; the Kenya Demographic and Health Survey (KDHS), the Kenya Integrated Household Budget Survey (KIHBS), FinAccess, Malaria Indicator Survey (MIS), the Multiple Indicator Cluster Survey (MICS), among

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<sup>1</sup> The term 'gender-specific indicators' is used to refer to indicators that explicitly call for disaggregation by sex and/or refer to gender equality as the underlying objective. For example, SDG indicator 5.c.1 captures the percentage of countries with systems to track public allocations that are directed towards policies and programmes that promote gender equality—the underlying objective is the promotion of gender equality. The term is also used for indicators where women and girls are specified within the indicator as the targeted population (see UN Women. 2018. *Turning Promises into Action: Gender Equality in the 2030 Agenda for Sustainable Development*. New York).

<sup>2</sup> As specified in A/RES/70/1, with the addition of education, marital status, religion and sexual orientation.

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others. These surveys offer critical insights into various aspects of the population, enabling targeted interventions and policy.

The primary data disaggregation include:

- i) **Demographic Characteristics:**
  - a) **Age:** Data is segmented by different age groups, such as children, youth, adults, and elderly;
  - b) **Sex:** Separate data for males and females to highlight gender disparities; and,
  - c) **Marital Status:** Information on single, married, divorced, and widowed individuals.
- ii) **Geographic Location:**
  - a) **Region/County:** Data is provided for different counties and regions to capture geographic disparities; and,
  - b) **Urban vs. Rural:** Disaggregation by urban and rural areas to highlight differences in living conditions and access to services.
- iii) **Socioeconomic Status:**
  - a) **Income/Wealth Quintiles:** Households are classified into income or wealth quintiles to examine economic inequalities;
  - b) **Employment Status:** Information on employment, unemployment, and types of employment (formal vs. informal sector); and,
  - c) **Education Level:** Data on educational attainment, such as primary, secondary, and tertiary education.
- iv) **Health and Well-being:**
  - a) **Health Indicators:** Disaggregation by health status, access to healthcare services, and health outcomes; and,
  - b) **Disability Status:** Information on individuals with disabilities and their access to services and opportunities.
- v) **Household Characteristics:**
  - a) **Household Size and Composition:** Data on the number of household members and their relationships; and,
  - b) **Housing Conditions:** Information on housing quality, access to utilities, and ownership status.
- vi) **Sector-specific Indicators:**

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- a) Agriculture: Data on land ownership, agricultural production, and access to agricultural inputs;
  - b) Education: School enrollment, attendance, and educational outcomes by different demographic groups; and,
  - c) Water and Sanitation: Access to clean water and sanitation facilities.
- vii) Special Groups:
- a) Youth: Specific data on youth employment, education, and entrepreneurship;
  - b) Elderly: Information on the elderly population, including health and social support systems; and,
  - c) Vulnerable Populations: Data on internally displaced persons (IDPs), refugees, and other vulnerable groups.
- viii) Disability:
- a) Breaking down data by disability status helps in understanding patterns that can be masked by larger aggregate data and also informs policies and laws of persons with disability;
  - b) Disability is measured to assess difficulties in performing basic universal activities like seeing, hearing, walking, cognition, among others;
  - c) The status report on disability inclusion 2024 developed by National Council for Persons with Disability (NCPWD) gives an account of the Country’s achievements in disability inclusion in the public service. The report is a culmination of efforts, insights and dedication by public institutions in promoting disability inclusion through implementation of the Disability Mainstreaming Performance Indicator during the financial year 2022/2023;
  - d) The NGEK developed a Framework for Inclusion of Persons with Disabilities in Anti-Corruption Programming. The framework seeks to remedy the exclusion of Persons with Disabilities (PWDs) in anti-corruption programming in Kenya. It establishes standards that agencies with primary or secondary anti-corruption mandates, and anti-corruption non-state actors will adopt to ensure that their anti-corruption initiatives and programming are disability-inclusive. The framework was a culmination of concerted efforts in partnership with the Ethics and Anti-Corruption Commission (EACC), the National Anti-Corruption Campaign Steering Committee (NACCSC), and the National Council for Persons with Disabilities (NCPWD), Organizations of and for Persons with Disabilities, as well as individual persons with disabilities; and,

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- e) A key challenge however remains in generalizing the needs of persons with disabilities, negating the different needs of different groups of persons with disabilities such as women with disabilities, men with disabilities and children with disabilities. Additionally, grouping persons with disabilities within vulnerable groups risk leaving out the needs of women with disabilities who will follow under the cracks of men and disability.

### **The Economic Surveys**

The Economic Survey Report is an annual publication prepared by the KNBS that provides socio-economic information covering a five-year period. The Economic Survey Report, 2024 is the latest, but captures data for the previous year. The categories of statistics include the following;

- i) Economic Performance
- ii) Employment, Earnings and Consumer Prices
- iii) Money, Banking and Finance
- iv) Public Finance
- v) Agriculture Sector
- vi) Environment and Natural Resources
- vii) Energy Sector
- viii) Manufacturing
- ix) Construction Sector
- x) Tourism Sector
- xi) Transportation and Storage
- xii) Information and Communication Technology
- xiii) Education and Training
- xiv) Health and Vital Statistics
- xv) Governance, Peace and Security
- xvi) Social and Economic inclusion

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## SECTION SIX: CONCLUSION AND NEXT STEPS

Kenya has made steady progress towards the achievement of gender equality and women's empowerment. The achievements, priorities, challenges and opportunities captured in this report focus specifically on the past five years of implementation of the Beijing Declaration and Platform for Action, building on the country's report on BPFA + 25. As Kenya prepares to observe the 30<sup>th</sup> anniversary of the BPFA, the Government as outlined in this report has identified key priority actions for accelerating change in the lives of women and girls for the achievement of gender equality.

These commitments are well articulated in Kenya's development Blueprint, Vision 2030 whose timelines are aligned to the 2030 Agenda for Sustainable Development and implemented through successive five-year medium-term plans and builds on the key successes especially around legislative, policy frameworks and programmes on gender equality and women's empowerment. Implementation of The National Action Plan for National Policy on Gender and Development will also reinforce the ongoing interventions on GEWE through Gender Mainstreaming across all sectors and all levels. More importantly, the National Monitoring Framework on BPFA will be useful in keeping track of progress across the 12 critical areas of concern and ultimately strengthen Kenya's review and appraisal process in the future. Kenya's efforts to align gender specific indicators to the country's economic development agenda has the potential to accelerate the country's achievement of the gender related Sustainable Development Goals (SDGs).

The report points to the important convergence of the moment; the review and appraisal of thirty years after the Beijing Declaration and the Platform for Action; ten years after the adoption of the 2030 Agenda on sustainable development and thirty years after the UN Resolution 1325; once again refocusing gender equality and women's empowerment to the intersectionality of gender, peace and development.

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