

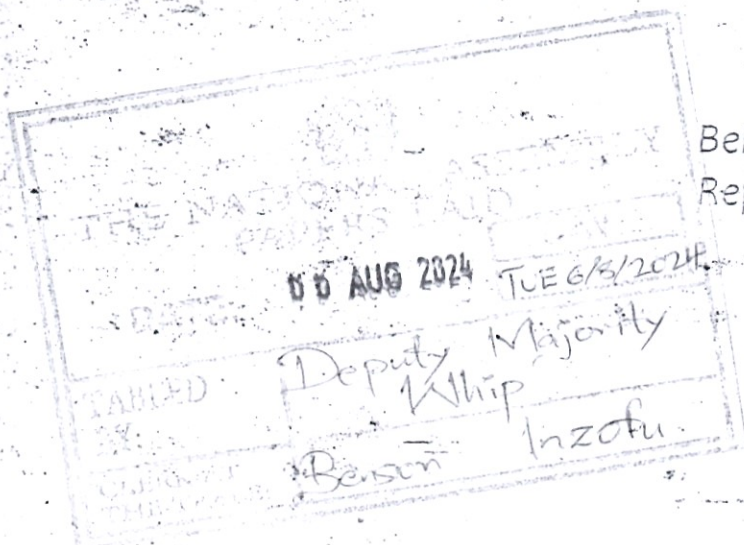


REPUBLIC OF KENYA
MINISTRY OF GENDER, CULTURE, THE ARTS AND HERITAGE

Thirtieth Anniversary of the Fourth
World Conference on Women and Adoption of the Beijing
Declaration and Platform for Action, 1995 (BEIJING + 30)

Kenya's Report

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



BeijingPlus30 – Kenya's
Report

June 2024

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List of Abbreviations and Acronyms

AACs	Area Advisory Councils
ACRWC	African Charter on the Rights and Welfare of the Child
AfCFTA	African Continental Free Trade Area
AGPO	Access to Government Procurement Opportunities
AMWIK	Association of Media Women in Kenya
ASAL	Arid and Semi-Arid Lands
ASRH	Adolescent Sexual and Reproductive Health and Rights
AYECs	Ajira Youth Empowerment Centres
BETA	Bottom-Up Economic Transformation Agenda
BPFA	Beijing Declaration and Platform for Action
CAF	County Assembly Forum
CBK	Central Bank of Kenya
CCGD	Centre for Gender and Development
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CHV	Community Health Volunteers
CO	Concluding Observations
COBMIS	Control of Budget Management Information System
CoG	Council of Governors
CTIP	Counter Trafficking in Persons
CRC	Convention on the Rights of the Child
CRPD	Committee on the Rights of Persons with Disabilities
CSI	Corporate Social Investment
CSO	Civil Society Organizations
DSEAP	Digital Skills and Employment Advancement Program
EAC	East African Community
EACC	Ethics and Anti-Corruption Commission
ECDE	Early Childhood Development and Education
EFA	Education for All
EI	Economic Inclusion
FDSE	Free Day Secondary Education
FGM	Female Genital Mutilation
FPE	Free Primary Education
FY	Financial Year
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GEF	Gender Equality Forum
GEWE	Gender Equality and Women Empowerment
GPI	Gender Parity Index
GRB	Gender Responsive Budgeting
GSSP	Gender Sector Statistics Plan
HPV	Human Papillomavirus
HRBA	Human Rights-Based Approach

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

NACCSC	National Anti-Corruption Campaign Steering Committee
NAP	National Action Plan
NCCAP	National Climate Change Action Plan
NCCC	National Climate Change Council
NCM	National Coordination Mechanism
NCPWD	National Council for Persons with Disabilities
NDC	Nationally Determined Contributions
NDMA	National Drought Management Authority
NEMA	National Environmental Management Authority
NGAAF	National Government Affirmative Action Fund
NGEC	National Gender and Equality Commission
NGO	Nongovernmental Organization
NHIF	National Health Insurance Fund
NICHE	Nutrition Improvement through Cash and Health Education
NITA	National Industrial Training Authority
NSNP	National Safety Net Program
ORPP	Office of the Registrar of Political Parties
OVC	Orphans and Vulnerable Children
PADV	Protection Against Domestic Violence
PAYE	Pay As You Earn
PCN	Primary Care Networks
PFM	Public Financial Management
PMTCT	Prevention of Mother to Child Transmission
PSEA	Protection against Sexual Exploitation and Abuse
PTSD	Post-Traumatic Stress Disorder
PWDs	Persons with Disabilities
RCS	Recommendations Compliance Scorecard
SACCOs	Savings and Credit Cooperative Society
SAGAs	Semi-Autonomous Government Agencies
SASDF	Sports, Arts and Social Development Fund
SCOA	Standard Charter of Accounts
SDGs	Sustainable Development Goals
SEQIP	Secondary Education Equity in Learning Program
SGBV	Sexual and Gender Based Violence
SHIF	Social Health Insurance Act
SIG	Special Interest Group
SMEs	Small and medium-sized enterprises
SP	Social Protection
SRGBV	School-related Gender Based Violence
SRH	Sexual and Reproductive Health
STEM	Science Technology Engineering and Mathematics
STIs	Sexually Transmitted Illnesses
TB	Tuberculosis
TFGBV	Technology-facilitated gender-based violence
TVET	Technical Vocational, Education and Training

UHC	Universal Health Coverage
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNGEI	United Nations Girls' Education Initiative
UNHCR	UN Refugee Agency
UNICEF	United Nations Children's Fund
UNJDP	UN Joint Devolution Programme
UNODC	United Nations Office on Drugs and Crime
UPR	Universal Periodic Review
VACS	Violence Against Children Survey
VMMC	Voluntary Medical Male Circumcision
WASH	Water, Sanitation and Hygiene
WEE	Women Economic Empowerment
WEF	Women's Enterprise Fund
WIT	Women in Technology

Section One: Highlights

INTRODUCTION

Core elements of the country-level review process

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.

In its 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 partners 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.

The subsidiary legal frameworks for promoting gender equality are anchored on international and regional commitments and obligations that Kenya has ratified and is party to, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); Beijing Platform for Action (BPFA); and the Maputo Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; Agenda 2063 of the African Union titled: *'the Africa We Want'* that seeks among other things, to build inclusive and accountable States and institutions; and, the Sustainable Development Goals under the 2030 Agenda for Sustainable Development adopted by the United Nations in September 2015 specifically Goals 1 (No Poverty) 2 (Zero Hunger); 5 (Gender Equality); 6 (Clean Water and Sanitation); 10 (Reduced Inequalities); 16 (Peace, Justice and Strong institutions), among others.

The Constitution of Kenya creates a platform for gender equality and non-discrimination. The country has made tremendous progress in adherence to the Constitutional provisions on gender in Articles 2, 10, 27, 81, 100 among others, that guarantee equal rights and outlaw discrimination against women, men, boys and girls in Kenya. It also provides a fresh impetus for a national policy

to chart a roadmap for the attainment of the constitutional provisions. Article 10 of the Constitution is on the National Values and Principles of governance. It highlights such principles as equality, equity, inclusiveness and non-discrimination. These principles provide an anchorage for gender equality. Further, Article 27 (1) provides that every person is equal before the law and has the right to equal protection and benefit; Article 27 (3) provides that women and men have the right to equal treatment including the right to equal opportunities in political, social, economic and cultural spheres. The Constitution also outlaws discrimination on any basis including, pregnancy, race, sex, marital status, health, ethnicity or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth in Article 27 (4). To realize these ideals, the Constitution in Article 27 (6) requires the government to take legislative and other measures including affirmative action to redress disadvantages suffered by individuals and groups because of past discrimination. Article 27 (8) requires that not more than two thirds of the members of elective or appointive bodies are of the same gender.

The Government of Kenya has put in place programmatic, policy, legislative and administrative measures towards realization of gender equality and women's empowerment including supportive institutional frameworks. Sessional Paper No. 1 of 2019 on the National Policy on Gender and Development provides for the achievement of gender equality and women's empowerment in national development so as to enhance participation of women and men, boys and girls, vulnerable and marginalized groups for the attainment of sustainable development. The policy sets, legislative and administrative measures to address the existing gaps in the realization of gender equality and women's empowerment. The policy integrates gender equality and women's empowerment into sectoral policies, planning and programmes.

In addition, gender-aware policies such as the National Land Policy (2009) which recognizes women's rights to own property on an equal basis with men; the National Policy for Prevention and Response to Gender Based Violence, 2014; and the National Policy for the Eradication of Female Genital Mutilation, 2019 have been adopted.

Parliament has also put in place laws to implement the Constitutional provisions for gender equality. These include the Matrimonial Property Act, 2013 which safeguards women's property rights during and upon dissolution of the marriage; the Marriage Act, 2014 that gives effect to constitutional provisions on equality between parties to a marriage; and the Land Act and Land Registration Acts which secure women's rights to land. Revision of the Succession Act Cap 160 is also at an advanced stage and is expected to address gender issues in succession. Similarly, the Counter-Trafficking in Persons Act, 2010, the Prohibition of Female Genital Mutilation (FGM) Act, 2011 and the Sexual Offences Act, 2006 outlaw specific forms of violence against women and the girl child. Thus, Kenya has ratified and domesticated on both its international and regional obligations on protecting the rights of women and the girl child. Additionally, the Kenya Citizenship and Immigration Act, 2011 provides for dual citizenship.

The National Gender and Equality Commission was also established to support the realization of gender equality. Some of the key initiatives that have recorded impressive progress include:

- a) Affirmative action programmes and funds for women-owned and women-led businesses, Access to Government Procurement Opportunities (AGPO), and training programs for women entrepreneurs aim to close the economic gender gap;

- b) Recognition of the Work-Life Balance: The Employment Act, 2017 (amended) recognizes the importance of work-life balance by guaranteeing maternity leave and, more recently, paternity leave;
- c) Striving to Bridge the Digital Divide: The government implements free Wi-Fi programs and digital skills training to ensure women have equal access to technology and its opportunities; and,
- d) Focus on digital literacy and gender-responsive budgeting in education that helps promote equal access to quality education for girls and boys.

Challenges

Despite the positive strides made by Kenya towards achieving gender equality, challenges still persist:

- i) Despite Constitutional provisions on 'the not more than two-thirds gender principle' has faced challenges of implementation;
- 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 and productive work;
- iv) Limited budgetary allocations that constrain the reach and impact of some gender equality programs;
- 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.

The report mentions quotas for women in public service positions and training programs specifically targeting women with disabilities. However, it also acknowledges the need for better data collection to understand the specific needs and challenges faced by marginalized groups within the broader category of women.

Two or three examples of good practices and lessons learned that may be relevant for other countries, preferably with a focus on measures with a transformative potential, considering the interlinkages and synergies between the BpFA and the 2030 Agenda for Sustainable Development areas where the country would need support in terms of finance, capacity-building, policy advice, data gathering and analysis, technology, and partnerships, among others.

- i) Public-Private Partnerships: 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.
- ii) Gender-Responsive Budgeting: Allocating resources based on identified gender needs ensures programs address the specific challenges faced by women and girls.

- iii) 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.

Areas where the country would need support in terms of finance, capacity-building, policy advice, data gathering and analysis, technology, and partnerships, among others.

The report highlights several areas where additional support can accelerate progress:

- i) Financing: Increased funding is needed to expand existing programs, implement new initiatives, and ensure long-term sustainability.
- ii) Capacity Building: Training for government officials and civil society organizations on implementing and monitoring gender-responsive policies is crucial for effective program implementation.
- iii) Investments in data collection on the impact of interventions, particularly for marginalized groups, is essential for informed decision-making and tailoring programs to address specific needs.

Section Two: Priorities, achievements, challenges and setbacks

1. Over the past five years, what have been the most important achievements, challenges and setbacks in progress towards gender equality and the empowerment of women?

In the narrative report, please explain why your country considers these important, how it has addressed them, the challenges encountered and the factors that have enabled progress or led to setbacks in each case. Where relevant and possible, please provide data to support your responses (3-5 pages).

The Government of Kenya acknowledges that gender equality significantly contributes to advancing economies and sustainable development. Consequently, the Government has made tremendous policy, legislative, administrative and programmatic strides towards accelerating gender equality and women's empowerment. 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. BETA outlines a vision for inclusive development by targeting 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. Through the Medium-Term Plans that focus on gender equality and women's empowerment the government recognizes the possible hidden gender biases as economic growth does not often create benefits for all, especially women, children, and the most marginalized groups.

The Government's focus on gender equality and empowerment of women is undertaken in the context of the following areas as summarized in the 9-point agenda. These include: economic empowerment; inclusion in leadership; addressing gender-based violence (GBV) and female genital mutilation (FGM); social welfare for women in diaspora; address health issues; provide a clean & safe environment; implement the free sanitary towels programme; and, address women and girls' land rights.

2. Over the past five years, what have been the top five priorities for accelerating progress for women and girls in your country through laws, policies and/or programmes?

In the narrative report, please explain why your country considers these priorities and how it has addressed them. Where relevant and possible, please provide data to support your responses (3-5 pages).

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

In Kenya the Constitution is recognized as the supreme law of the land. This follows from recognition of the instrumentality of the law as an equalizing principle. Given the foundational role of the law in Kenya, interventions geared towards gender equality have to first derive their impetus from an enabling legal framework. In that regard therefore, pursuant to the constitution's provision for the equality of all persons under the law, and the obligation it places on government for the realization of the same, the country has prioritized interventions within law in order to realize gender equality. Despite shortcomings, 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. The report states that Kenya has a robust constitutional, policy and legal framework meant to empower women and girls and to remove barriers.

Some of the major interventions include the comprehensive legislation on property, gender-based violence (GBV) and other sectors that impact women. Kenya's current legal regime is consistently evolving in order to capture the needs of women within various sectors. Property and GBV are specially highlighted given the role that property has in influencing women's social mobility and GBV on the other hand due to the fact that women are disproportionately the most affected by GBV. 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, the Anti FGM law. Further examples are more elaborately stated in the proceeding within the corresponding sectors.

Ratification of relevant international laws – The equality of women and girls is a global issue, as such there are several international instruments that Kenya is party to, targeted toward the realization of the equality of women. Kenya has demonstrated goodwill in aiming to achieve equality and equity for men and women by ratifying many of these instruments. Currently the country 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.

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 and to do so 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 Small Claims Court following the Small Claims Court (Amendment) Act, 2020 has also been instrumental in enhancing access to justice for the poor and marginalized persons in Kenya, of which most beneficiaries are women. The courts are designed to ensure simplicity of procedure, speedy resolution of cases, accessibility and services offered at low cost. It is established to respond to challenges in administration of justice faced by the poor and the marginalized in society.

ii) Political Participation

The political participation of women is critical as it allows them to actively be engaged as decision makers. Integrating female voices within decision making allows for the realization of greater equity within society and the realization of more holistic and sustainable development due to the integration of different perspectives. In recognition of the same, Kenya has pursued interventions targeting the political participation of women in the following ways: implementation of '*the Not More Than 2/3rds Gender Principle*': 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. To bolster this, 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*'. The principle is Kenya's gender quota to increase women's representation in decision making spaces. In order to realize the principle a Multi-Sectoral Working Group (MSWG) was established through Gazette Notices No. 10848 and

No. 11090 published on August 15 and August 25, 2023, respectively. The Working Group comprises of state and non-state agencies representing diverse sectors developed a framework to implement this outstanding Constitutional requirement. 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. It submitted its final report and proposed legislative instruments to the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage on 22nd February 2024, for onward submission to Parliament for consideration; and,

The Kenya Women Parliamentary Association (KEWOPA), an association 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 political participation in Kenya and ensuring that gender perspectives are integrated into all areas of governance. Its functions include: Advocacy for Gender Equality, Capacity Building, Networking and Collaboration, Monitoring and Oversight, Public Awareness and Sensitization, Support for Women's Participation in Politics, Policy Research and Analysis.

The G7 Strategy is fronted by the seven elected women governors in Kenya. The strategy represents a significant milestone in Kenya's journey towards gender equality and inclusive development and demonstrates the commitment of Kenya's women governors to empowering women leaders, increasing women's representation in political decision-making, and delivering on the promise of devolution through their leadership. Part of the dream is to have 24 women governors post the 2027 elections. By harnessing the collective leadership and expertise of the President and the seven women governors, the initiative holds promise for driving positive change and creating a more equitable and prosperous future for all Kenyans.

iii) Unpaid Care and Domestic Work

One of the significant barriers to the social mobility of women is time poverty. Time poverty references a situation where a person does not feel like they have the time to do what they want to do. Due to the cultural expectation that women ought to engage in care work, and other unpaid, usually domestic labor, women are often disadvantaged in their participation in economically productive work. In recognition of the same, Kenya has sought to implement interventions that are specifically targeted towards bridging the time poverty divide by targeting unpaid care and domestic work.

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 Time Use Survey by the **Kenya National Bureau of Statistics (KNBS) 2023** 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.

The preceding informed the formulation of the **National Care Policy 2024** (final draft) by the State Department for Gender and Affirmative Action and other partners to establish a roadmap for both the public and private sectors and other stakeholders to recognize, reduce & redistribute unpaid care work among individuals. The policy, which is still being developed, is geared towards the enhancement of employment policies that create favorable conditions for the participation of women and girls in the workforce; and,

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% pay to enable the women breastfeed the babies exclusively and paid paternity leave for 14 days.

iv) Challenging Discriminatory Social norms and Gender Stereotypes

Culture is the core foundation of social norms and gender stereotypes. It determines people's everyday experiences and embedded within culture are harmful social norms and stereotypes that are barriers towards the advancement of women in critical areas such as education and leadership. The government of Kenya recognizes that combatting harmful cultural practices and attitudes is a foundation towards achieving equality and equity. In line with this, particular interventions targeting social norms and gender stereotypes include: the Prohibition Against Female Genital Mutilation Act of 2011 that provides stiffer punishments for offenders. The National and County governments, the UN Agencies and partners have all been working together to end the harmful vice. These efforts include but are not limited to domestication by counties of the National Policy on Eradication for 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. In 2022, the government passed the Children's Act that specifies punishment for those who facilitate or practice FGM. While FGM declined somewhat in Kenya (KDHS 2022), one in four women were still being cut. On forced, early or child Marriage, the Children's Act 2022 stipulates under Article 23. (1) No person shall subject a child to female genital mutilation; child marriage; virginity testing and girl child beading; and,

The Education and Training Sector Gender Policy (2015) which is under review is the cornerstone policy providing a framework for the planning and programming of gender-responsive education at all levels, providing a foundation for gender sensitive curricula and pedagogy. 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. 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 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 in order to engender the gender-neutral attitudes around.

v) **Gender Responsive Budgeting**

In order to realize the sustainability of interventions geared towards gender equality, it is important to ensure that the interventions are funded adequately. In order to monitor the same, the government has implemented:

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 under C.

The Standard Charter of Accounts (SCOA) system 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.

3. Over the past five years, what specific actions have you taken to prevent discrimination and promote the rights of marginalized groups of women and girls?

i) **Indigenous peoples**

In Kenya, people who are identified as 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 are 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.

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. Chapter Four of the Constitution contains a progressive Bill of Rights that 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 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.

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.

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).

ii) Women and girls with disabilities

According to the 2019 National Housing and Population census, the population of persons with disabilities above the age of 5 years stands at 918,270. This constitutes about 2% 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.

Article 27 of the Protocol to the African Charter on the Rights of Persons with Disabilities whose ratification was approved by the cabinet in 2021 provides for the sexual and reproductive health rights of women with disabilities are guaranteed and that they have the right to retain their body autonomy.

The government provides a tax exemption to persons with disabilities including women with disabilities, they are waved from PAYE up to 1151.63 USD (150,000 Ksh), business permit waivers, vehicle tax exemption to all persons with disabilities.

The Sexual Offences Act also has special provisions on sexual offence, prevention and protection from the effects of sexual abuse. The Act criminalizes rape, sexual assault, defilement, indecent acts, trafficking and other sexual offences. Women with disabilities also get protection from these crimes. Additionally, the Act has some offences that are specifically applicable to women with mental disability. Among such offences are the criminalization of prostitution of persons with mental disabilities which is punishable with imprisonment for a term of not less than ten years.

To enhance public awareness on disability rights, the Disability Awareness Creation Booklet has been published as a resource book for awareness creation on disability.

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.

The Implementation of the 5% 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 30% 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.

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 centres train approximately 700 persons on information communication technology, electrical installation, fashion and design among others.

iii) Women Living with AIDS

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 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.

iv) Younger and Older Women

Kenya, as a signatory to the 1989 UN Convention on the Rights of the Child, has implemented legislative and policy measures to ensure child protection and school safety. In 2019, the Kenya Violence Against Children Survey (VACS) revealed that 49% of girls and 48% of boys aged 13-17 experienced physical violence. Additionally, 11% of girls and 4% of boys reported experiencing sexual violence. Academically, girls who experience sexual violence tend to exhibit poorer performance, decreased participation in school activities or, in some cases, may even drop out due to lowered self-esteem, reduced focus, and heightened anxiety. In the long term, SRGBV significantly diminishes the learning potential of affected students (UNGEI, 2013). 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.

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 school with a budget of 876,000,000 million.

v) **Migrant Women and Girls**

The 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.

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 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.

The Ministry of labour and social protection has established a **Migrant Workers Fund** to support migrants as per The Labour Migration and Management Bill, 2023, Article 40. (1)(2) The Cabinet Secretary responsible for matters relating to finance may, in accordance with the Public Finance Management Act, establish a Migrant Workers Welfare Fund and the Fund shall provide protection and assistance to Kenyan migrant workers during departure, stay in destination country and upon return to the country.

vi) **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:

- a) 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 Refugees Act 2021 has the potential of providing a legal environment for refugees in Kenya to not only survive but to also thrive. 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;
- b) The Kenya National Commission on Human Rights in its interventions includes: receiving complaints from women refugees and migrants on human rights violations, conducting investigations, seeking appropriate redress, reviewing of laws, policies, public awareness creation and public and duty bearers' capacity building founded on principles of human rights. This aims to enhance the management and governance of migration in Kenya by

adopting 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; and,

- c) Kenya is party to the Djibouti Declaration of refugee Education, in line with the same, Kenya has developed a Framework for supporting refugee learners.

4. Over the past five years, how has the confluence of different crises affected the implementation of the BPfA in your country, and what measures have you taken to prevent their negative impact on progress for women and girls?

i) **Covid-19 and other pandemics**

The Covid-19 pandemic proved to be a significant challenge in Kenya's Implementation of the BPfA's commitments through the impact it engendered in the following areas:

- a) 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 (20%) than men (12%). This notwithstanding, more women than men in both urban and rural areas reported lower household monthly expenditure per month pre-COVID. The low household expenditures are likely to have worsened post-COVID.
- b) Food security and agriculture production: Household food security was at risk during the pandemic as a result of declining incomes, potentially reduced food production and limited market access. More women than men had to either eat less/ skip a meal (33% and 31%, respectively) or go hungry without food (13% and 10%, 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%) relative to men (37%), indicating that availability and ability to buy agricultural inputs had declined. However, the proportions were relatively similar for rural areas with both at 45 per cent.
- c) 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 %for women and 37% for men; teaching children at 53% for women and 15% for men; and caring for children at 41% for women and 39% for men. This is likely to have affected their labour participation with the new norm of working from home.
- d) Social protection: To help households cope with disrupted livelihoods, the Government of Kenya through the Ministry of Labour and Social Protection in collaboration with County governments and non-state actors, offered substantial 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 gender (at 7%) although more women than men lost all incomes. 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% and 25% in urban and rural areas, respectively) relative to men (21% and 23% in urban and rural areas, respectively).

- e) Education for girls and boys: Although 76% of women and 24% of men helped their children continue with learning activities from home, more girls (34% - rural and 28% - urban) than boys (33% -rural and 27% - urban) did not continue with learning from home. This is probably because more girls (18%) than boys (11%) 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. |
- f) 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 mental health of women at 60 %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%) than men (51%) who sought child healthcare services could not get the service.
- g) Water and sanitation and access to menstrual hygiene products: Access to sufficient clean and safe water was relatively high at 70 %and 78 % of households living in rural and urban areas, respectively. Regarding menstrual hygiene, most women and girls (over 90%) 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%, relative to rural areas at 65% 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.
- h) 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% and 21% in urban and rural areas, respectively) and sexual harassment (19% and 16% in urban and rural areas, respectively), child marriages (15% and 20% 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.

ii) Debts Crisis

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 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. Conscious action should be aimed at reviewing and acting on the impact of public debt on gender equality.

iii) Climate Crisis

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. 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.

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.

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 favourable conditions for vector-borne diseases, such as malaria, dengue fever, and Zika virus, which can cause miscarriages, premature birth, and anaemia 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.

5. Over the next five years, what are the priorities for accelerating progress for women and girls in your country through laws, policies and/or programmes?

i) Equality and non-discrimination under the law and access to Justice

While Kenya's legal regime is particularly responsive to matters pertaining to gender equality there still remains gaps that need to be addressed within the law. One of the major challenges to achieving gender equality is the lack of political will, in order to remedy this, the government via Executive Order No 2. of 2023 provides for the development of the Gender Bill. A Gender Bill

would entrench the gender function within law allowing for the sustainable progress of interventions geared towards gender equality.

Further, some existing laws still contain discriminatory clauses. For instance, within succession and inheritance there are two statutes that contain provisions that expressly discriminate against children born out of wedlock and their mothers, these are the Births and Deaths Registration Act (Cap. 149) and the Law of Succession (Cap. 160). Such provisions give discretion to fathers of children born out of wedlock on whether or not to accept parental responsibility for their biological children. This is contrary to the Constitution Article 27.

ii) Political Participation and representation

While the Constitution provides for the 2/3rd gender principle in order to safeguard gender equality in political participation and representation, the country is yet to fully implement the provision. In order to realize the principle a Multi-Sectoral Working Group (MSWG) same was established through Gazette Notices No. 10848 and No. 11090 published on August 15 and August 25, 2023 respectively. The Working Group comprise state and non-state agencies representing diverse sectors was mandated 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. It submitted its final report and proposed legislative instruments to the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage on 22nd February 2024, for onward submission to Parliament for consideration. With the process still underway it constitutes a huge priority for the government.

Another priority for the government fronted by G7, the groups of seven women elected governors, is the institution of 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 to their male counterparts.

iii) Unpaid care and Domestic work

Unpaid care and domestic work continue to be a cause of time poverty among women affecting their social mobility. Kenya has only focused on Unpaid care and domestic work in the recent past and a lot of work remains to be done. Despite the National and the Time use survey which contributed to the development of the National Care Policy (final Draft) the policy is yet to be operationalized and disseminated. Thus, moving into future interventions geared towards operationalizing the policy will be a key priority.

iv) Gender-Responsive Budgeting

Gender responsive budgeting references a gender- based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality. GRB approaches are therefore designed to enhance the responsiveness and accountability of government budgets and policies to commitments aimed at reducing gender-inequalities. In Kenya, the gender sector remains largely underfunded moving into the future gender responsive budgeting in line with Kenya's GRB guidelines will need to be integrated more consistently and efficiently into national development planning and budget formulation processes. The Constitution of Kenya provides the impetus for

the same by proving the principle on which GRB should be anchored. Further, the Public Finance Management Act 2023 in article 201 states that the public finance system shall promote an equitable society and that expenditure shall promote the equitable development of the country by making special provision for marginalized groups and areas.

v) **Changing discriminatory social norms and gender stereotypes**

Combatting discriminatory social norms and gender stereotypes remains a priority intervention as gender inequality, on a day-to-day basis, is based on the perceptions, attitudes and norms that are embedded within culture. As such, if gender equality is to be attained sustainably, interventions have to be targeted towards challenging and changing regressive social norms and gender stereotypes.

In this regard therefore, the Kenyan government continues to prioritize efforts targeted towards changing cultural norms through:

- a) **Media and Advocacy Campaigns:** The government Partners with passionate influencers on social and mainstream media platforms to keep up a steady coverage of gender equality issues. These advocacy campaigns are critical in mainstreaming gender equality into the public conscience by directly the everyday perception of the everyday man.
- b) **Gender Sensitive Education:** Education is a highly effective tool in changing the perceptions of the younger generation. As the government continues to implement The Education and Training Sector Gender Policy (2015) which is under review, education curriculum and pedagogy will become increasingly gender responsive leading to more gender equal attitudes within culture overtime. Further the integration of gender mainstreaming at higher levels of education through the Model Gender Mainstreaming Policy for TVETS, 2023 and through the National Industrial Training Authority (NITA) will allow women to enter into stereotypical male roles through the sharpening of their skills and capacities effectively changing the perceptions within society through increased numbers of women in previously male dominated fields.
- c) **Implementation of legislation and policy on the eradication of harmful gender norms.** The government of Kenya, while recognizing the progress that has been made in the elimination of FGM, Early Child Marriage and other harmful cultural practices against women and girls, recognizes that these practices still exist. As such there is a need to continue the implementation of the current legal and policy structure in order to realize the wholesale elimination of these cultural ills.

Section Three: Progress across the 12 critical areas of concern

This section covers progress across the 12 critical areas of concern of the Beijing Platform for Action. 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.

Inclusive development, shared prosperity and decent work

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

6. Over the past five years, what actions has your country taken to advance gender equality in the world of work (including informal and non-standard employment as well as entrepreneurship)?

In the narrative report, please provide details of up to three concrete examples of measures taken, including aims and scope of measures, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. Where appropriate please also report on your engagement or intention to engage in the Global Accelerator on Jobs and Social Protection. (2 pages max.)

Kenya has instituted various measure to contribute towards the advancement of gender equality in the world of work. Foundationally, Kenya's commitment to realizing equality in the world of work is institutionalized in the constitution which provides for equality of all persons under article 27. Beyond this Kenya has also ratified international laws, critical among them the Convention on Discrimination (Employment and Occupation) (1958) (No.111) by the International Labor Organization (ILO) is the reference point for the fundamental right of non-discrimination at work. As one of the ratifying states, Kenya has committed to declaring and pursuing a national policy to eliminate discrimination (sex, race, religion, tribe, political affiliation, nationality) and promote equality of opportunities in employment and occupation. The Equal Remuneration Convention, 1951 (No 100), explicitly addresses equal remuneration between men and women for work of fair value.

Further supplementing this is the Employment Act of 2007 which 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 Act prohibits discrimination in employment and requires that all men and women performing work of equal value shall be paid equal remuneration and further provides for three months maternity leave with full pay. Strengthen laws and regulatory frameworks that prohibit discrimination against women regarding entry into the labour market and terms and conditions of employment, and provide means of redress in cases of non-compliance. The Employment Act, No. 11 of 2007 makes provision for paid maternity leave of three months and paternity leave of two weeks. The Act prohibits discrimination in employment and requires that all men and women performing work of equal value shall be paid equal remuneration.

More recently there have been various efforts within the legal field, policy field and in the form of programmatic and institutional interventions.

Legal Revisions

The Employment (Amendment) bill, 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

The National Policy on Gender and Development 2019 serves as the foundation for all interventions geared towards achieving Gender Equality and Women Empowerment (GEWE). The policy sets legislative and administrative measure to address the existing gaps in key thematic areas including labour and employment.

The Women Economic Empowerment (WEE) Strategy 2020-2025 provides guidance and strategic direction to the State Department for Gender and Affirmative Action on how best to support women economic empowerment initiatives. The strategy recognizes that women economic empowerment is a process where women's lives are transformed from limited power due to gender barriers. Women economic, social and political empowerment are interconnected. WEE contributes towards women empowerment as it focuses on the ability of women to gain access and control over productive resources and their recognition as full economic actors. The strategy, therefore, seeks to address the challenges of poverty, inequality, governance and inadequate skills to ensure that women achieve sustainable growth to transform their lives.

The Diversity Policy 2016 aims to ensure fair and equitable representation of the diverse Kenyan ethnic communities and groups including minorities and marginalized groups proportionate to the national population size.

Programmatic and Institutional interventions.

i) Economic Empowerment Programs:

- Affirmative Action Funds (Women Enterprise Fund, National Government, Affirmative Action Fund, Uwezo Fund, and Youth Enterprise Development Fund): These funds provide accessible and affordable credit facilities to support women entrepreneurs and marginalized groups.
- 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.
- Access to Government Procurement Opportunities (AGPO): AGPO reserves 30% of government procurement opportunities for women, youth, and persons with disabilities.

ii) **Capacity Building and Training:**

- Training Programs: Capacity Building and Financial Inclusion training, Entrepreneurship and Financial Management Training, Ajira Digital Training, Value Addition Training and Women in Political Leadership Training.
- 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.

iii) **Public Awareness Campaigns:**

- Advocacy and Sensitization: Kenya celebrates International Women's Day every year to recognize the milestones achieved in various fields. Maisha ni Digital Campaign by Safaricom to encourage women to work in the digital space.
- Media Campaigns: Utilization of media to highlight successful women leaders and promote positive role models. Women@Work Campaign(W@W) by HIVOS on women's freedom to work and unmasking sexual harassment at the workplace. The government partners with passionate influencers on social and mainstream media platforms to keep up a steady coverage of gender equality issues.

iv) **Institutional Support:**

- Women's Representative Positions: The creation of specific seats for women representatives in parliament to ensure women have a voice in legislative processes.
- Gender Desks: Establishment of gender desks in various institutions to address gender-related issues and support women's participation in economic activities.
- Gender reporting tool developed by the State Department of Gender and affirmative Action for the purposes of

v) **Implementation of the 2/3rd gender rule.**

According to the *Status of Gender Equality and Inclusion in the Public Sector Report* published by NGEIC covering the financial year 2022/2023, 92% of the public sector institutions have 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 and 932 males.

7. **In the past five years, what actions has your country taken to recognize, reduce and/or strengthen the rights of paid care workers?**

In the narrative report, please provide details of up to three concrete examples of measures taken, including aims and scope of measures, target population, budget, impact evaluations, lesson learnt, and links to further information. Please also provide information about actions for specific groups, such as those listed in question 3. Specific examples of how the increase in unpaid care and domestic work during COVID-19 pandemic was addressed are encouraged. Where appropriate, please also report on your engagement or intention to engage in the Global Alliance for Care. Where relevant and possible, please provide data to support your responses. (2 pages max.)

Kenya has made significant progress in seeking 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. Foundationally, the **Constitution of Kenya** contains a comprehensive Bill of Rights. Article 41 provides for the provision of reasonable working conditions and fair remuneration. Article 43 guarantees all Kenyans their economic and social rights. It asserts the right for every person to social security and binds the State to provide appropriate social security to persons who are unable to support themselves and their dependents. These provisions are closely linked to other social protection rights, including the right to healthcare, human dignity, reasonable working conditions, and access to justice.

Vision 2030 aims to provide ‘a high quality of life for all citizens by year 2030’

Further, 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 **Time Use Survey** by the Kenya National Bureau of Statistics (KNBS) 2023 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.

The preceding informed the formulation of the **National Care Policy 2024 (final draft)** by the State Department for Gender and Affirmative Action and other partners to establish a roadmap for both the public and private sectors and other stakeholders to recognize, reduce & redistribute unpaid care work among individuals. The policy, which is still being developed, is geared towards the enhancement of employment policies that create favorable conditions for the participation of women and girls in the workforce.

Other instrumental laws and interventions include:

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 2007, article 29, provides paid maternity leave that lasts 90 days at 100% pay to enable the women breastfeed the babies exclusively and paid paternity leave for 14 days.

Devolved unit Initiatives pilot projects in Busia have established (**crèches**) which are **nurseries where babies and young children are cared for during the working day** to enable women traders to accomplish the role of childcare and income-generating activities. This contributes to changing gender norms that allows the males drop and pick the children from the children facilities.

In order to address the disproportionate burden of unpaid care work that falls predominantly on women and girls, OXFAM Kenya has set aside \$4.9 million from the Government of Canada and \$231,000 from OXFAM Canada, to reach over 5,000 people including 4,451 women in Kenya with the Time to Care Project to improve gender equality and care infrastructure for women and girls in Kenya. The project 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.

The Kenya Private Sector Alliance (KEPSA) has implemented a private sector gender mainstreaming policy aimed at closing the gender pay gap and supporting female entrepreneurs within the private sector. This policy includes measures such as gender-responsive budgeting and setting clear targets for gender equality within organizations. By encouraging diversity and inclusion, KEPSA aims to foster an environment where women can thrive as entrepreneurs and employees, contributing significantly to economic growth. Further, the Better Business Practice for Children initiative has also been mobilizing the private sector to provide conducive work environment for women with children by establishing childcare facilities such as crèches, and day care centers within the workplaces. Among the private sector organization with crèches and childcare facilities include: Safaricom PLC, Kakuzi PLC, Oserian Flower Farm, Red Lands Roses PLC, and Finlays Horticulture Kenya Ltd. This helps to attract and retain a skilled workforce, particularly women, who play a crucial role in operations of the organizations. Further, the Early Childhood Development and Education (ECDE) centres form an important part of the overall mechanism covering childcare by the education system.

8. In the past five years, what actions has your country taken to reduce the gender digital divide?

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

The Government of Kenya is committed to achieving gender equality and empowerment of women and girls, with a focus on innovation and technology. Four key areas of focus for ICT development in Kenya are: Mobile, Market, Skills and Innovation, and Public Service Delivery.

Legal and Policy Frameworks

Constitution, the Access to Information Act, 2016, Data Protection Act, 2019, The National Broadband Strategy, and the Computer Misuse and Cybercrime Act, 2018. These are in place to promote connectivity, availability, accessibility, affordability and utilization of technologies.

The digital divide between men and women in Kenya has significantly reduced over time as seen in the data gathered in the Kenya Population and Housing Census 2019 which show that 20,694,315 of individuals aged 3 years and above owned a mobile phone. More females (10,425,040) than males (10,268,651) owned a mobile phone.

Digital Economy

Kenya's Digital Inclusion Strategy is founded on four pillars: Digital Infrastructure, Digital Government Service, Product and Data Management, Digital Skills, Innovation, Enterprise and Digital Business.

Women have largely benefited from digital inclusion in accessing digital markets and promoting their businesses through digital platforms and related devices for communication and trade.

The government, through the ICT Authority, is implementing free Wi-Fi internet connections in public spaces as part of the digital acceleration programme and hopes to roll out, through The Last

Mile Connectivity Infrastructure, over 25,000 free public Wi-Fi hotspots across the country through the digital initiative in order to extend the internet to remote areas for example to Farmers Markets to aid women, mainly women access internet at ease. They can market their products online – last mile connectivity-bridge the divide between the rural and urban areas.

The government has also rolled out 1450 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 deployed 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 this is according to my-gov paper issue of 12th April 2024). The government hopes the Jitume digital hubs will promote digital literacy, increase employability among the youth and contribute to a more inclusive and equitable society.

Kenya is exploring opportunities for partnership with big tech companies within the East Africa Region aimed at increasing women in digital careers and professions.

Public Private Partnerships:

In line with KEPSA's high-level approach of Enhancing Entrepreneurship and Job Creation, KEPSA and KEPSA Foundation have undertaken a number of initiatives geared towards complementing the government efforts and contributing to the growth of the digital economy in the country. These interventions include:

- i) In partnership with the government, they are implementing the Ajira Digital Project which seeks to position Kenya as a choice of labour destination for multinational companies as well as encourage local companies and the public sector to create digital work. Through this initiative, we have so far trained 350,000 youths on digital skills and connected 195,000 of those trained to digital and digitally enabled Jobs. 53% of these beneficiaries are young women. This constitutes The Private sector Linkages as well as Jobs created during the Digitization of the Kenya Judiciary. The Program currently has established 121 Ajira Youth Empowerment Centres (AYECs) 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 with an aim of on boarding SMEs onto existing digital platforms, overseas e-market platforms, and strengthening the digital marketing capabilities of the SMEs. As part of this initiative, 2,605 SMEs were trained on digital marketing and on-boarded onto various e-commerce platforms.
- iv) KEPSA Partnered with Safaricom PLC to conduct a quota; 'Building a Strong Brand in the Digital Era' The forum, targeted over 30 MSMEs under KEPSA. This session was conducted to help small businesses understand the essentials of brand building, especially in today's digital landscape. Entrepreneurs had a chance to learn practical strategies to establish and grow their brand presence online.

Education

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.

Through the Ministry of Education in 2013 the government started the Digital Literacy Program meant to integrate technology in teaching and learning in basic education. The National Policy on Gender and Development, 2019 seeks to address the digital divide and promote the inclusion of ICT and STEM education in mid-level tertiary institutions.

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 by the State Department for Higher Education and research.

Efforts have been made to improve ICT infrastructure in schools including 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, over 100 secondary schools have internet connectivity. 12,543 computers have been distributed to 1,89 secondary school 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 2300 per learner.

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. Kenyans can now access a wide range of essential services with ease, significantly reducing bureaucracy and enhancing their overall experience.

9. In the past five years, how has the macroeconomic and fiscal policy environment affected the implementation of the BPfA in your country, and what macroeconomic policies has your country implemented in support of a more gender-equal economy?

In the narrative report, please provide details on the evolution of public and private finance mobilized to advance gender equality, monetary and trade policies, as appropriate, as well as any effects of fiscal consolidation / austerity measures, such as cuts in public expenditure or public sector downsizing, on women and men, boys and girls. (2 pages max.)

Over the past two decades, Kenya has made notable strides in mobilizing both public and private finance to advance gender equality. This evolution can be traced through various policy initiatives, budget allocations, and private sector engagements aimed at bridging the gender gap.

Public Finance Initiatives:

Gender-Responsive Budgeting (GRB): Kenya adopted 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.

Affirmative Action Funds:

The Government of Kenya (GOK) development budget consists of allocations to SAGAs (Women Enterprise Fund, Uwezo Fund, and National Government Affirmative Action Fund) for Socio-Economic Empowerment of women, youth, PWDs and other vulnerable members of the society and the counterpart funds. The approved budgetary allocations 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.

50 million Women Speak Platform: The virtual platform is 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. Kenya is leading with the number of women registered in this platform with **127,457 women registered as of August 2023.**

Access to Government Procurement Opportunities (AGPO) Program: Through this programme women, youth and persons with disability have been awarded government tenders and this has uplifted the standard of living for this category of people. 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, **Kshs. 10,906.1 million (USD69.025 million)** for the 2019/20 FY, **Ksh. 19,178.5 million (USD121.4 million)** for the FY 2020/21 FY, **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 the 2022/23 (KNBS, 2023).

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).

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.

The LPO Financing Programme supports businesses of Persons with disabilities that are registered with the National Treasury under Access to Government Procurement Opportunities (AGPO) to finance LPOs, LSOs and Contracts awarded by Government procuring entities. This program main objective is to improve employment opportunities for Persons with disabilities through increasing the AGPO programme. The AGPO Programme offers Persons with disabilities an opportunity to access businesses they would otherwise not the Council over the last two years supported about 119 businesses owned by Persons with Disabilities that were awarded tenders up to a tune of 500,000 each. Nonetheless, the programme has been facing some challenges key among them:

- i) Provision of loans not exceeding Kshs. 500,000 resulting from limited budgetary allocations from the National Treasury, which lock out many companies with orders requiring amounts above Kshs. 1 Million from benefiting;

- ii) Low awareness among PWDs on AGPO tendering laws, processes and procedures, which have resulted in low uptake of AGPO by PWDs; and,
- iii) Reluctance by governmental procuring entities (i.e. MDCAs) in implementing the legal requirement of 30% preservation of all government procurement opportunities for women, youth and persons with disabilities. This has led to limited PWDs benefiting from AGPO.

Private Sector Engagement:

Banking Agents

Bank agents, contracted by financial institutions or mobile network operator's process clients' transactions. Examples of these bank agents 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.

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 per cent of the board or more than 25 per cent 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 **Ksh5,000.00** 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
- 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.

Corporate Social Investments (CSI)

Kenya Private Sector Alliance developed and launched of the inaugural private sector gender mainstreaming policy in 2022 sought to provide guidance for private sector actors in promoting gender responsiveness across business operations, policies, and programs. In order to operationalize the policy, KEPSA recruited and on boarded 30 industry gender champions with an aim 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 workplace. Over 1000 private sector companies were sensitized, leading to the establishment of lactation stations by more than 100 companies, with others in various stages of implementation. Further, the Foundation champions and facilitates capacity building of women,

youth and persons with disabilities along various value chains for enhanced market linkages with the public and private procurement entities by mainstreaming the AGPO initiative.

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 on board over 1,300 women led SMEs to corporate procurement opportunities.

Various other corporates and Business membership organizations have focused on women led initiatives. For example, 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 board room.

Policy Frameworks and Plans: -

Global and Regional Policy and Legal Frameworks Ratified by Kenya

There are several global policy and legal frameworks that target the promotion of gender quality and diversity and aim to increase women's participation in the workforce which have been ratified by Kenya. They include but are not limited to:

The **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** which obliges State Parties to take appropriate action and eliminate discrimination against women. CEDAW advances the notion of equal employment and training opportunities for women and men, free choice of profession and employment, right to promotion, job security, and the right to equal remuneration and benefits.

The **African Charter on Human and Peoples' Rights and Maputo Protocol (2005)** requires States to prohibit and condemn all forms of harmful practices that negatively affect the human rights of women and are contrary to recognized international standards. Article 13 of the Maputo protocol, requires state parties to legislate and enforce laws or other measures to guarantee women equal opportunities in work and career advancement and other economic opportunities. Women's right to sustainable development is emphasized in Article 19 and focuses on access to and control over productive resources such as land. States are also required to promote women's access to credit, training, skills development, and extension services to reduce the level of poverty among women and to ensure that human development indicators concerning women are mainstreamed into development policies and programmes.

EAC Treaty of 1999 recognizes the role of women in socio-economic development and requires in article 121 that partner states recognize that women make a significant contribution towards the process of socio-economic transformation and sustainable growth and that it is impossible to implement effective programmes for the economic and social development of the Partner States without the full participation of women. Additionally, article 122 recognizes the importance of women as a vital economic link between agriculture, industry and trade.

National Policy Frameworks

Kenya's **Constitution 2010** has rooted for gender equality under Article 27 by stating that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural, and social spheres. Kenya has made efforts to develop legislative and policy

frameworks that promote gender equality and equal participation of men and women in economic opportunities.

Kenya Vision 2030: The Vision is Kenya's long-term development blueprint, built on three pillars (economic, social and political). The Vision recognises that there are inequalities and inequities across different groups of population which should be priorities in Kenya's development agenda. The vision for gender, youth and vulnerable groups is premised on equity in power and resource mobilization between sexes, and improved livelihoods for all vulnerable groups. The strategy aims to increase opportunities among women, youth and disadvantaged groups in all economic, social and political decision-making processes. The vision is implemented through five-year development plans (Medium Term Plans) and currently, the country is at **Medium-Term Plan (MTP) IV** 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.

The National Policy on Gender and Development (Sessional Paper No. 02 of 2019) prioritizes a transformed society free from gender-based discrimination in all spheres of life. Under labour and the economy, the policy envisages eliminating discrimination in access to employment, promotion and training, and including equal remuneration to enhance income security. It provides a framework for the integration of gender issues into the development process across all sectors.

The Employment Act (2012). The Act 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.

Monetary and Trade Policies

Kenya's monetary policies have gradually recognized the need for gender-sensitive approaches. 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 particularly transformative, providing women with greater control over their finances and facilitating micro-finance initiatives.

On the trade front, Kenya has endorsed various regional and international agreements that advocate for gender equality. The **East African Community (EAC) Treaty**, for example, emphasizes the role of women in trade and economic development. Additionally, the **African 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

Resource Allocation: 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 for the financial year 2019/2020, 0.14 percent in 2020/2021, 0.13 percent in 2021/2022 and 0.12% in 2022/2023 and lastly 0.14 in 2023/2024.** This has been attributed to budget cuts across all Government Ministries and Departments due to austerity measures. Through partnerships, there are 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 form of a grant through a one- year agreement which ended on 30th June 2023.

Poverty eradication, social protection and social services

Critical areas of concern: Women and poverty B. Education and training of women C. Women and health D. Human rights of women E. The girl child

10. In the last five years, what actions has your country taken to reduce/eradicate poverty among women and girls?

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

In 2020, statistics indicated that approximately 20.9 million Kenyans lived in abject poverty, representing **42.9%** 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%** and **29.7%** respectively. In 2021, the overall poverty headcount rate for individuals at the **national level was 38.6 % (40.7 % in rural areas and 34.1 % in urban areas)**. 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 34% of Kenyan households of which 37% of the female headed households were living in absolute poverty compared to 35% men-led households.

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

Legal Measures

i) Constitution of Kenya

Article 27 reinforces "equality and freedom from discrimination. (1) Every person is equal before the law and has the right to equal protection and equal benefit of the law. Article 60 (1)(f) provides for the principles of land policy which include the elimination of gender discrimination in law, customs and practices related to land and property in land. This article is important because it seeks to rectify historical injustices that have continually faced the women of Kenya. Article 60 (1) (f) eliminates gender discrimination in relation to land and property and gives everyone, including women, the right to inheritance and unbiased access to land.

ii) The Kenya Vision 2030.

The Government's development blueprint aims to transform Kenya into a newly industrialized middle-income country by providing a high quality of life to its citizens by 2030, in a clean and secure environment. It recognizes the importance of gender equality in achieving sustainable development. The vision emphasizes the need for inclusivity in decision-making processes that consider the perspectives of all citizens, including women. By guiding the development of sectoral policies that address the specific challenges faced by women, it

ensures that their voices are integrated into poverty eradication strategies at the national level. In periodic **MTP IV** highlights the government programmes targeting to improve the quality of life for the vulnerable groups through social protection interventions such as cash transfer programmes for orphans and vulnerable children, older persons and persons with severe disabilities; national safety net programmes (Inua Jamii); and hunger safety net programme. The **Fourth Medium Term Plan 2023-2027** is aligned to the **Bottom-Up Economic Transformation Agenda (BETA)** and provides impetus for the achievement of MTP IV goals and objectives.

- iii) **Legislative provisions:** The Kenyan Constitution promotes equality and non-discrimination and advocates for the full and equal enjoyment of all rights and fundamental freedoms by all. 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.

There have also been established cooperative societies aimed at assisting women to acquire land and property. More women are now able to obtain Title Deeds to their properties and inherit land, courtesy of the supportive legislative systems. Two critical pieces of land legislation are in place. These include The National Land Commission Act 2012 and the Land registration Act 2012, which all entrench principles of gender equality in access to land and enshrine the rights of women to own land and property. This is a good boost to women access to land, which has been a preserve of men and boys, and hence ensures gender equality and financial inclusion for women.

Policy Frameworks: A number of policies being implemented include: -

National Policy on Gender and Development, 2019 which promotes equal opportunities and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action. Empower women and men to have access to and control over economic opportunities and resources.

Women Economic Empowerment Strategy (2021-2025)- Contributes towards women empowerment as it focuses on women ability to gain access and control over productive resources and recognition as full economic actors. It addresses the challenges of poverty, inequality, governance and inadequate skills to ensure that they achieve rapid and sustained growth to transform their lives.

The Education and Training Sector Gender Policy (2015) It addresses gender disparities, including 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.

The Kenya Private Sector Alliance developed and launched an inaugural **Private Sector Gender Mainstreaming Policy in 2022**, guided by the principles of gender diversity and inclusion to provide 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.

- a. **Programmatic Interventions:** To cushion women from falling further into poverty, the Government has established catalytic funds, which have enabled women to access funds for start-ups or growing their business ventures without burdensome conditions as follows:
 - i) **The Women's Enterprise Fund (WEF)** continues to provide access to affordable credit and business support services to women entrepreneurs since 2007 to start and/or expand business for wealth and employment creation. Since 2020-2023 Total No. of **women entrepreneurs trained financial literacy 1,811**, Total No. of **women entrepreneurs linked to large enterprises through WEF 1,786**, Total Amount (In Billions) disbursed to women Groups through WEF **7.732**, Total Amount (in Million) disbursed to women entrepreneurs through SACCOs **124.5**, Total Amount (in millions) disbursed to women entrepreneurs through LPO financing **51.66** and Total Amount (in millions) disbursed to widows (Thamini loan product) **36.55**
 - ii) **The Uwezo (Empowerment) Fund** enables women, youth and persons with disabilities access to finances to promote businesses and enterprises at the constituency level, thereby enhancing economic growth towards the realization of the same and the Sustainable Development Goal No.1 (eradicate extreme poverty and hunger) and 5 (promote gender equality and empower women). Uwezo 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 **2020/2021-2022/2023**.
 - iii) **The National Government Affirmative Action Fund (NGAAF)** a revolving fund for women established to enhance access to financial facilities for enhancement of economic empowerment initiatives, supporting value addition affirmative action groups; socio-cultural development and nurturing of talent for the youth, among other mandates. Since 2020-2023 Total No. of vulnerable students benefiting from Bursary and Scholarships **94,755**. Total No. of groups supported through grants for socio-economic development **5,981** and Total No. of groups funded for value addition initiatives **2,905**.
 - iv) **Access to Government Procurement Opportunities (AGPO)** based on Article 55 of the Public Procurement and Asset Disposal Act, 2015 on fair, equitable, transparent and cost-effective public procurement of goods and services, ensures that **30 percent** of all public procurement in every financial year is allocated to women, youth and persons with disabilities. As of the amount awarded as tenders to women has been increasing from **Kshs. 15,547.2 million (USD 98.4 Million)** was awarded in 2018/2019 Financial Year to **Kshs. 24,876.0 million (USD157.4 million)** in the 2022/23 Financial Year (KNBS, 2023);
 - v) **Hustler fund**, a digital financial inclusion designed to improve financial access for personal or household, micro, small, and medium-sized enterprises (MSMEs) whose core objective is to offer holistic financial solutions targeting people at the bottom of the pyramid, provides affordable credit; competitive savings and pension products; comprehensive insurance solutions; access to affordable housing and market linkages. It is intended to cushion and mitigate financial shocks for the informal sector which accounts for more than **80%** of the population. Women borrowers can register groups, access credit and accumulate savings

without human interface. The Hustler fund has over 8,198,738 saving groups; 51,860 groups have been registered with a membership of 1,182,390 beneficiaries. In the period of one year, the Hustler Fund disbursed Kshs. 36.87 billion (USD242.6 million) to 21.2 million people and mobilized Kshs. 1.843 billion (USD12.13 million) in savings. These funds help women reinvest in their businesses, families and communities producing multiple effects that spur economic growth.

- vi) **50 million Women speak Platform;** - The platform is intended to empower millions of women in Africa to start, grow and scale up businesses by providing a one stop shop for their specific inform needs. In Africa, Kenya is leading with the number of women registered in this platform with 127,457 women registered as at August 2023.

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 including modern technology.

11. In the past five years, what actions has your country taken to improve access to social protection for women and girls?

In the narrative report, please provide details of up to three concrete examples of measures taken, including aims and scope of measures target population, budget, impact evaluations, lesson learnt, and links to further information. In answering this question, countries are encouraged to reflect on any lasting, gender-responsive social protection innovations adopted in response to the COVID-19 pandemic. Please also provide information about actions for specific groups, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)

You will also be asked about gender-responsive social protection innovations during the COVID-19 pandemic, with the following options to choose from.

The social protection response to the pandemic was significant but did not spur any gender-responsive innovations.

- *The social protection response to the pandemic spurred gender-responsive innovations, but measures were mainly short-term.*
- *The pandemic spurred gender-responsive innovations as well as longer-term transformations of social protection to strengthen women's income security.*

Major achievements during the **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.

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.

The social sector of the **MTP IV** has prioritized the implementation of the following key strategic interventions: - Review the existing labour laws to align them with emerging issues in the labour employment sector, upgrade and expand the existing industrial and training centres, and strengthen the linkages between training institutions and industry. Social Development and Children services, National safety programs that support Social Economic growth and development (NGAAF, WEF) and Sports, Arts and Social Development Fund (SASDF) to promote and develop Sports, Arts and social development including Universal Health.

Kenya Social Protection Policy, 2024 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. Established Social Protection M&E Framework to guide engendered reporting on Social Protection (SP) and roll-out of more targeted SP interventions.

The **National Council for Children Services** having been recently established into a fully pledged Semi-Autonomous Government Agency with regulatory 7 mandate needs to have its capacity expanded to all the 47 counties alongside strengthening the overall implementation systems. Equally, the **Directorate of children services** is involved in a number of critical child protection activities that require adequate resourcing including children rescue, reintegration, preparation of situational reports to support children's cases in courts - which mostly require home visits, management of the child helpline 116. Management of children institutions, the **Presidential Secondary School Bursary Fund** which is currently within the demands of needy families among others.

Rollout 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).

Government is also working to have in place a law that provides for indexation of the social assistance (**Social Protection Bill, 2023**) and continues to expand noncontributory **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. The first phase of registration of new 5 Inua Jamii beneficiaries targeting 500,000 beneficiaries was done in September 2023.

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.

According to the Minimum Wage Gazette Notice 2022, the minimum wage was increased by 12% from Ksh 13,572 to Ksh 15,201 for cities. The minimum wage for all former municipalities was increased to Ksh 14,025.40, and the minimum wage for all other areas was increased to Ksh 8109.9. However, there are challenges in enforcing minimum wage for local domestic workers.

The Ministry of labour and social protection has established a **Migrant Workers Fund** to support migrants as per The Labour Migration and Management Bill, 2023, Article 40. (1)(2).

The Cabinet Secretary responsible for matters relating to finance may, in accordance with the Public Finance Management Act, establish a Migrant Workers Welfare Fund and the Fund shall provide protection and assistance to Kenyan migrant workers during departure, stay in Destination country and upon return to the country.

Persons with Disabilities

According to the 2019 National Housing and Population census, the population of persons with disabilities above the age of 5 years stands at 918,270. This constitutes about 2% 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.

To enhance public awareness on disability rights, the **Disability Awareness Creation Booklet** has been published as a resource book for awareness creation on disability. Engagement of persons with disabilities and their representative organizations as well as the public in demystifying disability.

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.

The Implementation of the **5% 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 30% 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.

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.

The **Kenya Disability Inclusion Conference** on 28th and 29th November 2023. The Conference which brought together over 200 participants, majority of which were persons with disabilities, from the County and National level, was aimed at disseminating the Global Disability Summit Commitments and engaging 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.

The government is keen on developing programmes that support persons with disabilities and their primary caregivers, through provision of respite care services and strengthening psychosocial support systems currently offered by lay volunteer counselors and community-based rehabilitation volunteers.

In appreciating the place of assistive technology in the improvement of service delivery, and the general living standards of persons with disabilities, 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 to increased enrolment and retention of learners with disabilities as well as enhancing their learning experiences.

In collaboration with the Kenya National Bureau of Statistics, and Organizations of and for persons with Disabilities 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.

Another great milestone in the disability fraternity is the onboarding 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** is a portal where persons with disabilities load their CVs and employers have access to the portal and their information.

The government provides a **tax exemption** to persons with disabilities including women with disabilities, they are waved from Pay As You Earn (PAYE) up to (150,000 Kes), business permit waivers, vehicle tax exemption to all persons with disabilities.

12. In the past five years, what actions has your country taken to improve health outcomes for women and girls in your country?

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

Kenya recognizes the importance of providing equitable, affordable and quality healthcare services, including sexual and reproductive health, for women and girls in order to achieve the realization of the right to the enjoyment of the highest attainable standard of physical and mental health. The government has put in place various policy and programmatic frameworks aimed at enhancing access to health services as a critical component of women's empowerment as enshrined in Article 43(1)(a) of the Constitution of Kenya, 2010, which provides that: "Every person has the right to the highest attainable standard of health, which includes the right to healthcare services, including reproductive health care". Article 43 (2) further provides that "a person shall not be denied emergency medical treatment".

These frameworks 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. In 2013, Kenya introduced a **free maternity policy** in all public healthcare facilities. In 2016, the Ministry of Health shifted responsibility for the program, now called **Linda Mama program**, to the National Health Insurance Fund (NHIF) and expanded access beyond public sector. The Linda Mama program ensures that pregnant women and infants have access to quality and affordable health services with a goal to "Achieve universal access to maternal and child health services and contribute to the country's progress towards reduction of maternal and child mortality". It covers all public health facilities across all 47 counties. The Linda Mama Program can be attributed to better maternal health outcome for instance; the percentage of live births assisted by a skilled provider increased markedly over the past two decades, from 41% in 2003 to 89% 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 through the Ministry of Health has prioritized provision of primary health care including a focus on **Community Health Promoters** within the community level. This is in order to shift the focus of health sector investment to preventive and promotive health care. It is thus intended to strengthen the primary health care system including its governance with the establishment of Primary Care Networks (PCNs) and facilities organized in a hub and spoke model. These are linked with the higher levels of the health system for a seamless continuum of care. The Community health promoters are at the forefront of disseminating vital 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. The areas that have an active community health program have demonstrated improvements in antenatal care visits, testing and treatment for diseases like HIV and malaria, and child immunizations. For instance, the vaccination coverage rate for basic antigens has had a sustained upward trend since 2008–09, with coverage in 2022 at 80%. At the county level, Vihiga has the highest percentage of children age 12-23 months who are fully vaccinated for basic antigens (96%), while Garissa has the lowest (23%), (KDHS,2023).

- iii) **The Kenya Health Sector Policy (KHSP) 2012 – 2030** focuses on two key obligations of health namely: contribution to economic development as envisioned in the Vision 2030 and realization of fundamental human rights as enshrined in the Constitution of Kenya. The policy focuses on ensuring equity, people centeredness and participatory approach, efficiency, multi-sectoral approach and social accountability in delivery of health care services. It takes into account the functional responsibilities between the two levels of government (county and national) with respective accountability, reporting and management lines.
- iv) **The Health Act, 2017**, establishes a national health system that facilitates, in a progressive and equitable manner, the highest attainable standard of health services. The Act 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), increase access to ASRH information and age-appropriate sexual education, reduce Sexually Transmitted Illnesses (STIs) including Human papillomavirus (HPV) and HIV, reduce early and unintended pregnancies, harmful traditional practices, drug and substance abuse, reduce Sexual and Gender-Based Violence (SGBV) and improve response and address SRH needs of marginalized and vulnerable adolescent. 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. This is in line with the Constitution of Kenya 2010, Vision 2030, the Kenya Health Policy (2014- 2030) and the global commitments.
- 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.
- ix) **The Menstrual Hygiene Management Policy 2019 To 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 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 health ecosystem to improve the portability of data and interconnectivity of health information. In recent years 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 (26% of females and 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**, establish the framework for the management of social health insurance; provides for the establishment of the Social Health Authority and gives effect to Article 43(1)(a) of the Constitution. Further attempts have been made to extend coverage to outpatient services and the micro-insurance market.
- ii) The Government of Kenya is also committed to implementing **Universal Health Coverage (UHC)** as part of the government economic transformation plan. This will ensure that all individuals and communities in Kenya have access to quality essential health services without suffering from financial hardship.
- iii) A two-phase strategy to model the UHC has been developed and launched in the four UHC pilot counties. The pilot phase scaled up the use of Community Health Volunteers (CHVs), investment in standardizing diagnostics, prioritizing the National Integrated Identity Management System for biometric registration and monitoring and accountability systems. Structural reforms to NHIF focused on efficiency, financial sustainability and transparency to ensure that all Kenyans may enjoy health services without the financial risk. Finally, the UHC pilot phase had a focus on primary health care including immunization facilities, maternal and child health services, HIV, TB and sexually transmitted infections, and a focus on nutrition for women and children for the first five years of life.
- iv) 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.

- v) 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 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.
- vi) In malaria prevention efforts, the government has continued to distribute Insecticide-treated Nets (ITN), implemented intermittent preventive treatment in pregnancy, and scaled up diagnosis and management of malaria cases. Insecticide-treated Nets (ITN) ownership has been steady since 2008–09, with at least half of households owning one net with the exception of 2020, when 49% of households owned an ITN (Economic Survey, 2023).

Overall, the disease burden in Kenya has over time decreased. The total cases of diseases reported in health facilities decreased by 6.9 per cent from 94.3 million in 2021 to 87.8 million in 2022. Diseases of the respiratory system accounted for the highest disease caseload at 19.5 per cent followed by malaria at 11.7 per cent in 2022. Despite these two contributing the highest disease caseload, there was a decline in the reported number of cases in 2022. Besides Tuberculosis (TB) incidences have dropped. Less than 1% of women and men were diagnosed with TB in 2022. (Economic Survey, 2023).

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.

The Government continuously endeavors to increase resources towards the health sector. The National Government total expenditure on health services is to rise by 33.1 per cent from Ksh. 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.

Further, Article 27 of the Protocol to the African Charter on the Rights of Persons with Disabilities whose ratification was approved by the cabinet in 2021 provides for the sexual and reproductive health rights of women with disabilities are guaranteed and that they have the right to retain their body autonomy.

Besides, healthcare infrastructure has improved with an increase in the number of health facilities by 2.2 per cent to 16,517 in 2022. This is mainly due to increase in number of level 3 facilities in

the same year. Hospital beds increased by 5.0 per cent to 94,925 while hospital cots grew by 4.7 per cent 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. Additionally, 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 population in 2021 to 161 per 100,000 population in 2022.

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 4% & 6% when viewed against the 12% recommended in the Kenya Health Sector Strategic Plan, and the 15% 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.

13. In the past five years, what actions has your country taken to improve education outcomes and skills for women and girls, including in sectors where they are underrepresented?

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

Education Access and Participation

Given the importance of education as a sector, the government has made significant strides to increase access to education for women and girls. The importance of education as a priority sector is evidenced by an upward trend in budgetary allocation for education from 2019 to 2024, with the most recent figures as per KNBS Economic Survey 2024 being an anticipated increase of 23.9 per cent to Ksh. 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

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 per cent 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 per cent respectively, during the period under review. 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 per cent to 903,138, with the number of males and females growing by 1.7 per cent and 2.7 per cent, respectively. The number of candidates who scored C+ and above increased by 15.3 per cent 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 per cent to 96,247, while that of male candidates increased by 7.6 per cent to 104,895 in 2023.

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

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.

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% and girls at 90.0%. However, in 2021, there was a considerable drop, with boys at 77.4% and girls at 79.5%. By 2022, there was a slight recovery, with boys at 76.7% and girls at 80.5% indicating girls still having a higher transition rate compared to boys.

Among the cohort that joined Grade 1 in 2013, a higher percentage of girls (86.2%) completed primary education compared to boys (79.7%) (Ministry of Education, 2020). This indicates that girls showed a higher survival rate in primary education within that cohort compared to boys. The survival rates of both boys and girls in secondary schools from Form 1 to Form 4 indicate that, in 2018, boys had a slightly higher survival rate at 82.2% compared to girls at 81.9%. However, in 2019, both genders experienced substantial increases in survival rates, with boys reaching 94.9% and girls at 94.55%. This trend continued into 2020, with both boys and girls maintaining a high survival rate of 96.4% (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% each. There was parity in survival rates between boys and girls.

Training

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, under the **National Policy on Gender and Development of 2019**.

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.

National Industrial Training Authority (NITA): has also been instrumental in building women's capacity for entry into the job marketing 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.

Expansion of TVETs from 52 in 2013 to 238 in 2022, representing a growth of **435%** at a total cost of **Ksh. 10.6 billion** has been instrumental in increasing enrolment from **55,945 trainees in 2013 to 318,179 (176,437 male and 141,742 female) in 2022** (representing **469%** increase); includes through increasing the number of TVET institutions.

Education Policy on Gender Equality

In order to align the education sector with Article 27(3) under the 2010 Constitution of Kenya, legislations have been enacted by Parliament to establish the necessary legal and regulatory framework for comprehensive education reform that is gender sensitive. The Sessional Paper No. 14 of 2012 aimed to harmonize education with the constitutional provisions and laid the groundwork for key Acts of Parliament in 2012 and 2013, which were instrumental in driving policy reforms such as reducing gender parity.

Kenya, as a signatory to the 1989 UN Convention on the Rights of the Child, has implemented legislative and policy measures to ensure child protection and school safety. In 2019, the Kenya Violence Against Children Survey (VACS) revealed that 49% of girls and 48% of boys aged 13-17 experienced physical violence. Additionally, 11% of girls and 4% of boys reported experiencing sexual violence. Academically, girls who experience sexual violence tend to exhibit poorer performance, decreased participation in school activities or, in some cases, may even drop out due to lowered self-esteem, reduced focus, and heightened anxiety. In the long term, SRGBV significantly diminishes the learning potential of affected students (UNGEI, 2013). 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.

The Education and Training Sector Gender Policy (2015) which is under review is the cornerstone policy providing a framework for the planning and programming of gender-responsive education at all levels. It aims to bridge gender disparities in education. The policy has helped to sustain women in adult education despite retrogressive cultural practices that hampers access to quality

education. According to Basic Education Statistical Booklet 2020; the total enrolment of Adult Education learners dropped by 9.4 % from 209,082 in 2019 to 189,443 in 2020. Female learners accounted for 66.7% of the total enrolment in 2020.

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.

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 which have been procuring and distributing the sanitary towels to girls from disadvantaged backgrounds. This was necessitated by the dire situation as is indicated in 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. This ultimately affects their performance and transition to higher levels of education. It is estimated that the Treasury has injected Sh1.9 billion into the programme which in turn has benefited 11.2 million girls. The programme had previously been targeting girls in schools located at 82 former districts chosen from marginalized and slum areas. Equally, a school's location as per the National Poverty Index determined whether its pupils received the government-funded sanitary towels. In the new strategic initiative of the programme it will now cater for all girls in public schools in the entire country.

During the 2023/24 financial year, the programme is estimated to benefit 2,293,251 girls in public primary schools and junior secondary school with a budget of 876,000,000 million.

All these measures have resulted in improved gender equality and better opportunity for boys and girls in schools and universities. Despite these initiatives, the government continues to encounter obstacles in addressing parts of gender equality issues in the education sector.

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; disruptions enable to balance gender roles.

14. What actions has your country 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?

In the narrative report, please provide details of up to three concrete innovations, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information, with a focus on measures that have outlasted the emergency response. In doing so, countries are encouraged to reflect on lessons learned from the pandemic for ongoing and future crises. Please also provide information about actions for specific groups, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)

During COVID in 2020, the government added Kshs. 10 billion to the elderly, orphans and other vulnerable members of our society through cash transfer programme through the Ministry of Labour and Social Protection, the government has continued to increase budgetary allocation towards social protection sector which in 2021/2022 was Kshs.15 billion Kshs.1 billion from the Universal Health Coverage kitty towards the 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 the universal health coverage to be one of the governments Bottom-up Economic Transformation Agenda (BETA) through the following bills

- i) Social Health Insurance Bill, 2023;
- ii) Digital Health Bill, 2023;
- iii) Primary Healthcare Bill, 2023;
- iv) Facility Improvement Financing Bill, 2023 which will comprehensively facilitate the funding of primary healthcare system, encompassing promotive, 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, aligning with the principle of "Leaving No One Behind" in the spirit of SDG 3 "which aims to ensure health lives and promote well-being for all, at all ages."
- v) Initiatives for working from home and use of mobile money transactions has been sustained through creation of *Digital Superhighway* whereby in 2023 the government through a Public Private Partnership model planned 100,000km of fiber optic cable and by April 2023 had done 25,000 km rollout. The government is looking to complete the project in 5 years;
- vi) The government has further on boarded over 15,300 government services to the e-citizen portal as part of the digital superhighway agenda to ensure efficiency and effectiveness towards service delivery; and,

vii) A total of 2,261 public WIFI hot spots had been installed in marketplaces and county headquarters as well as community innovation hubs. These initiatives reduce time poverty specifically on women who carry the biggest burden on domestic and unpaid care work.

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

15. Over the past five years, which forms of gender-based violence, and in which specific contexts or settings, has your country prioritized for action?

In the narrative report, please explain why your country considers these priority areas or contexts and how it has addressed them. Where relevant and possible, please provide data to support your responses (3-5 pages).

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. (all form of GBV should be taken seriously)

Female Genital Mutilation (FGM): In Kenya, it is estimated that 15% of girls and women aged 15-49 years have undergone FGM in 2022. This decreased from 21% in 2014, 27.1% in 2008-09 and 38% in 1998 respectively according to the KDHS reports. According to a UNFPA report, about 813,159 girls are at risk of being cut between 2015 and 2030. There are places in the country where almost every woman and girl undergo FGM as a rite of passage. The prevalence is more common among women who live in rural areas, at 25.9%, than among women who live in urban areas, at 13.8%. The Kenyan government has progressively put in place several laws and policies to eliminate FGM. Particularly, the Prohibition against Female Genital Mutilation Act of 2011 that provides stiffer punishments for offenders. The National and County governments, the UN Agencies and partners have all been working together to end the harmful vice. These efforts include but are not limited to domestication by counties of the National Policy on Eradication for 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. In 2022, the government passed the Children's Act that specifies punishment for those who facilitate or practice FGM. While FGM declined somewhat in Kenya (KDHS 2022), one in four women were still being cut.

In schools and other youth spaces, mentorship and life skills building for boys can empower them with the information and skills to prevent and report cases of FGM. At the community level, opportunities have been created for men and boys to play a visible and active role in leading dialogues and challenging social and gender norms, stereotypes and practices that continue to perpetuate FGM and other such as child marriage. FGM and child marriage are intertwined, exacerbated by drought, and often lead to girls dropping out of school, further curtailing their prospects in life.

Table 1: FGM Prevalence Rate Among Girls and Women Aged 15-49 from 1998 -2022

FGM PREVALENCE RATE AMONG GIRLS AGED 15-49 FROM 1998 -2022



Domestic Violence/Intimate Partner Violence (IPV): According to KDHS 2022, 41% of women who have ever been married have experienced violence since age 15 compared to 20% of women who have never been married. The survey further highlighted that 13% of women and 7% 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. Most women do not disclose or report the occurrences of IPV, or seek out the necessary social, legal or health care services. This hidden nature makes IPV data collection difficult, resulting in an underestimation of its prevalence and impact. However, population-based studies have revealed that IPV is widespread with varying prevalence across all nations and social classes.

The negative impacts of IPV include physical, reproductive and emotional health, a reduction in investment in human capital development, and direct and indirect microeconomic and macroeconomic costs. The Government of Kenya has enacted Protection Against Domestic Violence (PADV) Act, 2015 which addresses domestic violence within the family setting. 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

A study by UN Women in 2021 on Women and Public Transport East Africa established a high prevalence of verbal, sexual and emotional abuse in Kenyan public transport. It sampled 2,484

women in Nairobi, out of which 50 per cent reported using public transport, with 14-59 passenger vehicles being the most frequently used.

Sexual abuse and harassment in the workplace have far reaching effects which range from mental and physical health problems including anxiety, depression, post-traumatic stress disorder (PTSD), HIV/AIDS, sexually transmitted diseases and other stress-related illnesses. They may also experience a loss of self-esteem and confidence, which can negatively affect all areas of their lives. Additionally, workplace sexual violence and harassment also have broader societal impacts. These incidents continue to perpetuate gender inequality and reinforce harmful social norms and attitudes towards women which serve to ensure that women are suppressed socially and economically.

In Kenya, the government has enacted several policies and laws to address workplace sexual violence and harassment. The Employment Act (2007), which prohibits discrimination and sexual harassment in the workplace, and the Sexual Offences Act (2006), which criminalizes sexual harassment and other forms of sexual violence. Additionally, the government has established the National Gender and Equality Commission, State Department of Gender and Affirmative Action, Kenya National Commission on Human Rights which are responsible for promoting Human rights, gender equality and addressing issues related to sexual violence and harassment.

Kenya Private Sector Alliance launched the inaugural private sector Gender Based Violence (GBV) advocacy initiative in 2021 targeting to champion elimination of GBV in the private sector. A baseline study on the prevalence, trends and impact of GBV on productivity in the Private sector was undertaken and drew key information from the employers and employees and while its recommendations inform scale up of interventions. The findings of this study revealed gaps and provided a compelling business case for sensitization and awareness creation on role of the private sector 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 trainings reaching over 200 members.

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

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. The 2019 census recorded 20.7 million individuals with access to a mobile phone, of which 10.4 million (50.4%) were female, and 10.3 million (49.6%) males. The poll also indicated that of the 9.87 million Kenyans (22.6% of the population) that used the Internet, 42% were rural area residents, while 58% lived in urban areas. There is a digital gender divide in the use of the Internet. Of the 9.87 million Kenyans using the Internet, 55% were male and 45% female.

Technology-facilitated gender-based violence (TFGBV) 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. Indeed, the 67th session of the Commission on the Status of Women (2023) highlighted the deep impact of technological change on the empowerment of all women and girls and the ability to achieve gender equality. 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%), cyberbullying (19.1%), and non-consensual pornography (17.8%). Online defamation (34.4%) and non-consensual pornography (24.4%) are the most

common forms of TFGBV against female students, while male students mostly experience online defamation (43%) and cyberbullying (39.4%). Male students (78.6%) were identified as the top perpetrators of TF GBV, followed by female students (11.5%) and male teaching staff (5.4%). Technology-facilitated gender-based violence was most prevalent on social media platforms such as X, formerly Twitter (18.4%), WhatsApp (17.0%), Facebook (16.8%), Telegram (14.2%), Instagram (14.2%) and TikTok (13.7%). 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% of female students having experienced at least one type of online violence, as compared to 35.5% 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.

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 90% of young adults enrolled in three of Nairobi's tertiary institutions have witnessed Technology-Facilitated Gender Based Violence (TF-GBV), with 39 per cent having experienced it personally. While online violence has an extensive reach, female students are disproportionately impacted, with 64.4% of the students having experienced at least one type of online violence, compared to 35.5% of their male counterparts.

The study indicated that cyberbullying was cited as the second most common form of TF GBV at 19.1%, non-consensual pornography 17.8%; cyberstalking at 14.6%, online personification 13.3%; online sexual exploitation 8.4% sextortion 3.3% and doxing 1.6%.

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

In line with the NGEK mandate, and the Constitution of Kenya 2010, the Commission monitored the participation and engagement of SIGs in the 2022 general election including the pre-election, during and post-election processes. In preparation for the monitoring exercise, the Commission held extensive 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 dealing with issues of SIGs. The Commission sought to consolidate as much efforts and strategies aimed at enhancing participation and inclusion SIGs in the 2022 General Elections. The recommendations contained in the report titled *"Involvement and participation of the special interest groups (SIGs) in the 2022 general elections, Kenya"* require key actors with the greatest responsibility in the management of elections to draw specific strategies for their implementation.

In fulfillment of its coordination mandate, the NGEK facilitated consultative meetings aimed at bringing stakeholders together to discuss issues affecting special interest groups and draw

strategies for addressing challenges faced by SIGs. Among the issues discussed was their participation and inclusion in the 2022 general election, sensitization on GBV reporting tool, County SGBV directory and dissemination of SGBV referral tools. The Commission invested more on meetings that took stock of the level of preparedness, participation and inclusion of SIGs in elections. The NGEC facilitated the National Police Service stakeholder forum on serious Human Rights violations and Sexual Violence related to elections in January 2022. During the forum, the Commission shared key priority interventions for GBV prevention during the 2022 elections.

The NGEC held a high-level consultative meeting with representatives of registered political parties to secure their commitment in the promotion of participation of SIGs in various political party actions, activities and processes. These included 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 general elections.

Gender-based violence in the media

The media, including digital and social media platforms, is critical in shaping perceptions, raising awareness, and advocating for the prevention and response to gender-based violence in Kenya.

The Media Council of Kenya emphasizes the importance of media in creating awareness and disseminating objective information on GBV, highlighting the role of the media in shaping attitudes, perceptions, and knowledge of their audiences regarding GBV.

Female journalists bear the greatest brunt of sexual harassment and gender-based violence (SGBV). A 2020 survey dubbed: "Reporting Newsroom Sexual Harassment in Kenya, Nigeria, and South Africa" report in which the Association of Media Women in Kenya (AMWIK) participated, found that on average, women experienced sexual harassment four times more than men.

The AMWIK has remained active in mobilizing journalists from all the counties and training them on SGBV. The AMWIK consolidated with Journalists for Human Rights (JHR), in partnership with the Kenya Media Sector Working Group (KMSWG) and committees mandated to address sexual harassment in the Kenyan media industry and introduced a model policy on sexual harassment for the industry which will be adopted by Kenyan media.

The media shapes public perceptions and responses towards Violence against Women. There is therefore a need for sensitivity and in-depth analysis of cases of violence by the media during reporting with a view to drive awareness, and social change.

The NGEC held a consultative meeting 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 also sought to persuade media to offer airtime and adequate space for women candidates in promoting their manifestos.

Child, early and forced marriages

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 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.

Kenya's Marriage Act of 2014, 2001 Children's Act, Sexual Offences Act, 2006, the Prohibition of Female Genital Mutilation Act, 2011 stipulate the minimum age of marriage as 18 and have made child marriage illegal and protects girls from cultural harmful practices. Kenya has ratified major conventions against child marriage but has not adopted its draft National Action Plan to End Child Marriage. Social norms on sexuality and marriage contribute to the practice of child marriage: it is common for unmarried girls under the age of 18 to get pregnant and get married soon after, whether voluntarily or by force; unmarried adolescents' use and access to contraception is limited due to parents' fear of their premarital sexuality; though illegal, child marriage is common where FGM is practiced: families believe that child marriage is protective during crises; and girls may seek early marriage due to social pressures. Early marriage as a social norm may be driven by the lack of other viable alternatives, such as secondary schooling, which is cost prohibitive.

The National Gender & Equality Commission facilitated the review, finalization, and adoption of the terms of reference for the National technical working group on ending harmful cultural practices. The purpose of the national committee is to provide overall guidance and support in the implementation of policies and programs geared towards ending harmful practices in line with the Children Act 2022.

Trafficking in women and girls

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 % and 98.3% 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 64.7% while domestic trafficking was 35.3%. 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.

To address trafficking in persons in the country, Kenya has:-

- i) Assented to the 2005 United Nations Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
- ii) In the process of reviewing the Counter Trafficking in Person Act 2010 to align to the Constitution, address existing gaps and incorporate emerging issues.
- iii) 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.
- iv) 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 20 million Ksh (\$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 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.

- v) 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 reinforcement 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.

In 2022, the government investigated 111 cases – 59 for sex trafficking, 10 for labor trafficking, and 42 for unspecified forms of trafficking – however, this data may have included other crimes. It also prosecuted at least 48 alleged traffickers – 11 for sex trafficking, three for labor trafficking, and 34 for unspecified forms of trafficking – under various laws in 2022.

Emerging trends of violations;

Femicide: There are increasing concerns about the recent 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 staggering number only represents cases reported in the media - the true count is likely much higher. On average, a woman or girl was killed every other day, often at the hands of a husband, boyfriend, father, or other family member. The shocking reality that at least 10 women were killed in the first month of 2024 alone intensifies an already troubling trend. These femicide cases demonstrate the extent of patriarchy in our society where men have dominance and power over women. Statistics show that Sexual and Gender Based Violence disproportionately affect women and girls. Further we acknowledge that the Constitution of Kenya 2010 explicitly upholds the rights of all Kenyans. Therefore, there is no room or place for Sexual and Gender Based Violence. All concerned women organizations and individuals have stood in solidarity with all survivors and victims of sexual and gender-based violence and call on the government to break the silence around this shameful pandemic. There has been demand for Parliament to ensure timely allocation of resources towards prevention, protection and response on SGBV is available to all relevant institutions.

To end femicide, public attitudes must change. Women's lives matter regardless of profession or perceived transgressions. Men must be empowered to love, not hate, the women in their lives. Kenya is party to international conventions against gender-based violence and enforcement and accountability are urgently needed. As a society, we must do better to prevent violence, not excuse it after lives have already been lost, girls and women deserve safety, dignity and justice.

16. In the past five years, what actions has your country prioritized to address gender-based violence?

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

Gender Based Violence (GBV) is a pervasive global issue that necessitates comprehensive and concerted efforts for effective prevention and response.

Judicial Reforms

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 meticulous consultation and analysis process that revealed several deficiencies, including structural obstacles such as inadequate courtrooms and trial chambers ill-equipped to accommodate 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-centre 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 offences and categorizing different types of offences.

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, 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 of and Response to Gender-Based Violence (GBV) 2014 has undergone a comprehensive review. The revised policy is currently pending the necessary approvals, reflecting the government's commitment to strengthening its approach to GBV prevention and response. **County-Specific Policies:** Notable strides have been taken in multiple counties, including Migori, Kisumu, Kisii, Samburu, Isiolo, Garissa, Wajir, and Kiambu where tailored GBV policies have been formulated. 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. **GBV Indicators in Performance Contracting:** The integration of GBV indicators into the 2022/23 Performance Contracting for Ministries, Departments, and Agencies (MDAs) represents a significant achievement directly attributed to GEF's endeavors. This step enhances

accountability and underscores the commitment to achieving tangible progress in GBV prevention and response at various administrative levels. **Workplace Policy Development:** Ministries, Departments, and Agencies (MDAs) have taken significant strides in enhancing workplace environments. 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 work 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 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:** This has seen progress in that Kenya has taken decisive steps in ratification process initiation. The facilitation guidelines have been developed to aid in the fulfilment of this international obligation. There have been efforts to train Gender Champions to understand the convention's principles and objectives. The Kenya Private Sector Alliance has also played a role by launching Private Sector Gender Mainstreaming Policy designed to integrate strategies for eliminating GBV in the workplace, contributing to a corporate culture of respect and equality.
- 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. This has been achieved through the completion and finalization of KDHS 2022 report, which has so far 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 to visualize the violence encountered by girls and women with disabilities.
- v) **Develop a GBV Management and Information System:** This has been achieved through the National Gender and Equality Commission (NGEC), once finalized it will serve a pivotal tool for systemically capturing, managing and analyzing data related to GBV incidents. The framework 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. The GBVIS will enhance public awareness on the status of GBV in Kenya, provide evidence-based reporting on GBV, and inform policy and programme decisions besides influencing advocacy and resource mobilization strategies towards response to GBV. The implementation of a mobile application system known as "Pasha" for reporting and managing referrals of FGM cases.
- 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 contributes 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.
- 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 seen 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 Tripple 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, operationalization of Multi-Agency Technical Committee to accelerate FGM.
- xii) **Adoption and institutionalization the multi-sectoral GEF Leadership structure:** The strides made in adopting and institutionalizing the muti-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 Coalition up to 2026.

17. In the past five years, what strategies has your country used to prevent gender-based violence?

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

Chapter 4 of the Constitution of Kenya on the Bill of Rights affirms the country's commitment to nurturing and protecting the well-being of the individual, the family, communities, and the nation. Guarantees every person the right to freedom and security of the person, which includes the right not to be subjected to any form of violence from either public or private sources (Article 29c) or subjected to torture in any manner, whether physical or psychological (29d). Guarantees every

child the right to be protected from abuse, neglect, harmful cultural practices, and all forms of violence, inhuman treatment, and punishment (Article 53-1 d). Mandates the Parliament to enact legislation providing for the protection, rights, and welfare of victims of offences (Article 50-9).

Legal Frameworks:

Sexual Offences Act, 2006: Provides for prevention and the protection of all persons from harm from sexual acts and access to justice and psychosocial support; Children Act (Cap 141) makes provisions for the safeguards of the rights and welfare of children. It stipulates protection from sexual exploitation and harmful cultural as well as survival and best interests of the child; Protection against Domestic Violence Act (2015); Prohibition of Female Genital Mutilation Act (2011): Prohibits the practice of female genital mutilation and safeguards against violations of a person's mental or physical integrity; Victim Protection Act (2014): Provides for protection of victims of crime and abuse of power, and provision to them of better information and support services. Also provides for reparation and compensation to victims, special protection for vulnerable victims as well as the protection, rights, and welfare of victims of offences; The Penal code: The Penal Code prohibits all acts of violence in its provisions; Criminal Law (amendment) Act 2003; Sexual Offences Act 2011; Counter Trafficking in Persons Act 2011; Persons with Disabilities Act (No. 14 of 2003) protects the rights of persons with disabilities, including protection against all forms of violence. Additionally approved the ratification of the Protocol to the African Charter on Human and Peoples Rights on Rights of Persons with Disabilities in Africa by the Cabinet on 25th February 2021. The Protocol that recognizes the multiple forms of discrimination and the great risk of violence that women and girls with disabilities face. Article 27 specifically provides that "Women with disabilities are protected from sexual and gender-based violence and are provided with rehabilitation and psychosocial support against sexual and gender-based violence.

The Government in the past 5 years has been committed to addressing prevention and response to GBV through:

Robust policies and laws that seek to prevent and respond to gender-based violence (GBV) which include: National Policy on Prevention and Response to Gender Based Violence, 2014 (under review). Launched by His Excellency the President of the Republic of Kenya in 2014 as a demonstration of his commitment to lead from the front to end all forms of violence; National Policy for the Eradication of Female Genital Mutilation 2019; County Government Policy on Sexual and Gender Based Violence, 2017; National Guidelines on the Management of Sexual Violence, 2014; Multi-sectoral Standard Operating Procedures for Management of Sexual Violence, 2014.

Some of the programmatic interventions include:

- i) Launch of the Service Providers Directory for GBV survivors: Efforts have seen tremendous expansion of key gender-based violence (GBV) service points and services in the country including Police Gender Desks, Policare Centres, health service providers, Gender Based Violence Recovery Centres and safe spaces;
- ii) Coordination of the National and County GBV working group to bring together the various duty bearers and stakeholders. The purpose is to improve the effectiveness of implementation of Anti-GBV programmes.

- iii) Establishment and strengthening of county GBV and Women, Peace and Security sub-sector Working Groups that brings together various duty bearers and stakeholders to improve effectiveness of implementation of activities and strengthen referral system at the county level.
- iv) Guidelines for the establishment of Safe and Protective Spaces for GBV survivors. 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 Government owned rescue centres are based in West Pokot, Bungoma, Vihiga, Meru, Makueni and Migori counties.
- v) Partnering with cultural gatekeepers to combat female genital mutilation (FGM) and GBV has led to commendable decline of FGM incidences from 21% in 2014 to 15% in 2022 according to the KDHS report.
- vi) Male Engagement and Inclusion - The Government is making efforts to 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 3rd August 2023, under the National Gender Sector Working Group. The Government will institutionalize male engagement and include strategic interventions in all policies and national plans.
- ii) Access to justice is increasingly recognized as a critical dimension of tackling gender inequality. Lack of access to justice can impact the social, emotional, and financial outcomes of survivors/victims and their families. Kenya's survivor-centered approach towards enhancing access to justice for SGBV-victims survivors has taken shape through a wide range of piecemeal policy and institutional reforms accompanied by a variety of strategies and programmes. Most recently 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. Special courts and procedures are a commonly used tool globally to address these issues, provide efficient and sensitive adjudication of SGBV cases and enhance justice for women and girls.

18. In the past five years, what actions has your country taken to prevent and respond to **technology-facilitated gender-based violence** (e.g. online sexual harassment, online stalking, non-consensual sharing of intimate images)?

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

The Government has put in place an enabling legal and policy environment for this. The Constitution of Kenya 2010 states that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. Article 19(2) of the CoK, 2010 recognizes the protection of human rights and fundamental freedoms as a way of preserving the dignity of individuals and communities to promote social justice and the realization of the potential of all human beings. Article 33 recognizes freedom of expression which are limited

to Article 33(2). Similarly, Article 34 of the Constitution enshrines the freedom of expression subject to Article 33(2).

The Government seeks 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 such as *Computer Misuse and Cybercrime Act 2018 and Privacy and Data Protection Policy Act 2019*. On 9th February 2024, the Computer Misuse and Cybercrimes (Critical Information Infrastructure and Cybercrime Management) Regulations came into effect, vide Gazette Notice Number 44. The Communication Authority played a pivotal role in the development of these regulations, providing logistical support and technical expertise to ensure the formulation of a comprehensive regulatory framework. The enactment of these regulations will enhance the safeguarding of critical information infrastructure from cyber threats therefore improving national cybersecurity readiness and resilience. The regulations effectively operationalize provisions of the Computer Misuse and Cybercrimes Act of 2018. Additionally, the Authority hosted a training programme on Cyber Threat Intelligence (CTI) aimed at equipping technical officers within the Critical Information Infrastructure (CII) sector with the necessary skills to identify and counter evolving cyber threats in a rapidly evolving digital landscape.

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 Act that helps in enforcing laws such as the Sexual Offences Act, 2006 which are designed to protect children online.

19. In the past five years, what measures has your country taken to resource women's organizations working to prevent and respond to GBV?

In the narrative report, please provide amounts of funding and concrete examples of activities or organizations funded, including aims and scope of measures taken, target population, budget, impact evaluations, lesson learnt, and links to further information. (1 page max.)

A critical issue in the effort to combat violence against women and girls is the role of Women's Organizations. It is a constituent of women's empowerment. The five aspects of women's organizations include: a) women's access to and control over resources, b) freedom of movement, c) freedom from the risk of violence, d) decision-making over family formation, and e) political participation. The role of Women's organizations is therefore the ability of women to make effective choices and to transform those choices into desired outcomes. It rests on the fact that women, even within oppressive structures, engage in actions to change the terms of the debate, or lead to transformative change in their lives and society at large. Women's organizations are most visible in spontaneous and sporadic interventions to protect their families from immediate violence, in campaigns against human rights abuse and for justice, and in building trust and reconciliation across the conflict divide. Arguably, women's organizations are operative when it results in a fundamental shift in perceptions, or inner transformation, so that women are able to define self-interests and choice and consider themselves as not only able but entitled to make

choices. Women themselves must be significant actors in the process of change rather than merely the recipients of change.

Over the past three decades, women organizations have worked with the Government of Kenya to curtail gender violence against women and girls to by making them significant actors in the process of change rather than mere recipients of the change in societies. It has been able to do this by reaching out to the victims of violence and engaging state institutions. By confronting the violence against women and girls, women organizations have contributed to significant change in the way violence against women and children is viewed and addressed in Kenya. They have been instilling the idea that violence against women is not just a regular crime, but also a violation of women's human rights, strongly lobbying for legislation; raising awareness through advocacy, education, and training; and developing strong national networks to end the violence.

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

- i) **Expansion of functions of the State Department for Action and Affirmative Action: The Department** derives its mandate from Executive Order No. 2 of 2023. The expanded mandates includes Gender Policy Management; Special Programmes for Women Empowerment; Gender Mainstreaming in Ministries, Departments and Agencies; Community Mobilization on Gender Issues; Domestication of International Treaties or conventions on Gender; policy and programmes on Gender Violence; Affirmative action policy; Promote equity; Undertake a national survey on special needs; and mainstreaming affirmative action in Ministries, Departments and Agencies; and Ensure Compliance with affirmative action principles as envisaged in the Constitution. The Department is domiciled within the Ministry of Gender, Culture, the Arts and Heritage under the Presidency with the overall mandate of steering the country's direction in the implementation of the Constitution and Kenya's international obligations on matters of gender equality and empowerment of women and girls. The Ministry is headed by a Cabinet Secretary (Minister) while the Department is led by a Principal Secretary for Gender and Affirmative Action to drive this process. Under this structure, Gender Officers have been deployed to ministries to provide technical guidance on gender mainstreaming which includes planning, policymaking and coordination, facilitation, implementation, regulation and monitoring. At the devolved level, Officers have been deployed at the County and sub-county levels to coordinate gender mainstreaming and women's empowerment programmes. The officers across the Ministries, Departments and Agencies have largely spearheaded and contributed to and implementation of gender policies in their sectors. The Department also coordinates the National Gender Sector Working Group, a robust platform for gender advocates drawn from state and non-state actors, a mechanism that has been replicated at the sub-regional level. The Department also works with other institutions established under the constitution.
- ii) **Women's Rights Advisor's Office:** The Office of the President's Advisor on Women's Rights was established vide the Executive Order No. 1 of January 2023. The core mandate of the Office is to advise the President on matters pertaining to Women's Rights and Empowerment. The Office further 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 diligently played its advisory role to H.E the President on women's leadership including the not more than two

thirds gender rule of the constitution, economic empowerment and investments, Gender Based violence and has reinforced gender policy and programming in the country.

- iii) **Affirmative Action Initiatives:** The Government continues to support various affirmative action initiatives that exist to empower women. These programmes include the Women Enterprise Fund, Uwezo Fund, National Government Affirmative Action Fund, Youth Enterprise Development Fund and Access to Government Procurement Opportunities. In FY 2017/2018, Kshs. 2,166.3 million (WEF), Kshs.445.0 million (Uwezo Fund), Kshs. 26,794.6 million (AGPO), and Kshs.549.2 million (YEDF) were disbursed. In FY 2018/2019, Kshs. 3,085.0 million (WEF), Kshs.267.0 million (UWEZO Fund), Kshs. 30,139.7 million (AGPO), and Kshs.323.2 million (YEDF) were disbursed. In FY.2019/2020, the funds disbursed were as follows: Kshs. 3,503 million (WEF), Kshs.250.0 million (Uwezo Fund), Kshs. 32,739 million (AGPO); and Kshs. 600 million (YEDF). The National Government Affirmative Action Fund (NGAAF) has disbursed to counties a total of Kshs. 12,097,963,874.25 in the form of grants to vulnerable members of society since its inception in 2014. The targeted groups have also undergone entrepreneurship training. Additionally, the Anti- Female Genital Mutilation (FGM) Board has been mandated to uphold the dignity and empowerment of girls and women in Kenya through coordination of initiatives, awareness creation and advocacy against FGM.

The fact that African women are primarily seen as victims of violence, they have also emerged as tremendous human resources at the local, national, and international levels. By working closely, women's agency, women's organizations, such as COVAW, have proved that they have the abilities and capacities to combat violence against women and girls, empowering women, raising awareness, and deterring violence against women.

20. In the past five years, what actions has your country taken to address the portrayal of women and girls, discrimination and/or gender bias in the media, including social media?

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

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 legal level.

Policy Level

At the policy level, The National Policy on Gender and Development, the premier policy on gender in Kenya, recognizes women in media as a key focus area. Following a recognition of the efficacy of media in shaping how people view and interact with the world around, the policy places a premium on ensuring that the media is responsive to the plight of women by addressing the discriminatory biases against women within the field and by seeking to streamline the portrayal of women and girls in media in order to combat negative stereotypes. This base recognition forms the foundation for different targeted interventions that the policy recommends in order to not only

remedy the situation but to capitalize on the media as a pathway towards the realization of greater equality for women. The interventions advocated for by the policy revolve around:

- i) Capacity building for 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.

Institutional Level

The policy goals prescribed in the preceding have largely been realized through the activities of various institutions. The work of **The Media Council of Kenya** has been preminent in this regard. The Media Council of Kenya is an independent national institution established by the Media Council Act, No. 46 of 2013 for purposes of setting media standards and ensuring compliance with those standards as set out in Article 34(5) of the Constitution and for connected purposes. The Media Council of Kenya has been instrumental in organizing capacity building sessions for women at the county level in order to mainstream their participation within the media. In collaboration with the National Gender Equality Commission, the council has been involved in policing media content to ensure that programming by media channels is gender sensitive. In its oversight capacity, the Media Council of Kenya 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 participation of women in media has also been championed by members of the Kenya Media Sector Working Group. These members include:

1. Kenya Editors Guild
2. Kenya Union of Journalists
3. Article 19 Eastern Africa
4. Kenya Correspondents Association
5. Internews Kenya
6. Association of Media Women in Kenya (AMWIK)
7. Political Journalists Association of Kenya
8. Digital Publishers Association of Kenya
9. Kenya Parliamentary Journalists Association
10. Digital Broadcasters Association
11. Association of Devolution Journalists
12. Association of Freelance Journalists
13. Kenya Community Media Network
14. Association of Professional Broadcasters
15. International Association of Women in Radio and Television
16. Association of Kenya Community Media Operators
17. Foreign Press Association, Africa

Collectively, the members of the working group have worked collaboratively to fight against sexual harassment in media. In 2021, the group released the Manzoni 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 with leading a committee on gender in addressing sexual harassment in media, particularly, given the role that AMWIK has played through its various programs geared towards providing a platform for women in media and for advocating for them. AMWIK's work fighting sexual harassment culminated in a 2024 report on Sexual Harassment in Media that documented that 60% of women media faced instances of sexual harassment over the course of the career. The report documents that the situation in Kenya is still dire when it comes to misogyny within media.

Beyond its work in fighting against sexual harassment, AMWIK has also been critical in providing trainings, scholarships, networking opportunities, internships lobbying for greater women participation. Other partners like FAWE have also been crucial in providing training that corresponds with the UN standards on gender responsive training. While others like Thompson foundation have been instrumental in incentivizing the participation of women as leaders in media through a scheme providing funding and training in order to equip women to become leaders given the low numbers of women in leadership positions in Kenyan media.

The Legal Framework

Protections for women in media, particularly as relating to social media, have largely been realized within the legal arena. The government implemented a comprehensive legal regime that acts as the foundation for the protection of women in the media. **The Data Protection Act of 2019** builds on the **Cybercrimes Act of 2018** highlighted in the 2019 report. 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. Women and girls have disproportionately been the victims of technology assisted GBV in the form of cyberbullying, cyber-stalking, grooming, online harassment, receipt of offensive communication, impersonation trolling, hacking, surveillance and sharing of embarrassing material on social media. In order to curb this, 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.

Challenges

- i) Cultural stereotypes have impeded the implementation of gender equality policy in media houses as per the Media Council of Kenya; and,
- 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.

Lesson Learnt

Digital media provides new avenues for the empowerment of women. Particularly as relates to female entrepreneurship.

21. In the past five years, what actions has your country taken specifically tailored to address violence against marginalized groups of women and girls?

In the narrative report, please refer to the list of marginalized groups under question 3 and provide up to three concrete examples of measures taken, including aims and scope of measures, target population, budget, impact evaluations, lesson learnt, and links to further information. Where relevant and possible, please provide data to support your responses. (2 pages max.)

The fight to end violence against women and girls is universal. However, the root cause of violence against women is particularly prevalent in regions affected by crises, including conflict, military coups, displacement, climate shocks and hunger. Women and girls of ethnic minorities face multiple forms of oppression, which further reduces their power and choice. They are at increased risk of violence and face barriers to accessing support. In Kenya, the top safety concerns for women and girls include violence at home, forced marriage, lack of privacy, and a lack of access to services and resources. This is driven by a loss of livelihood that has led to increased idleness among men and boys, underreporting of GBV by survivors due to fear and stigma, as well as an inadequate response by the justice system. Despite a few GBV cases reported, little or no action was taken, with survivors often facing blame for the violence.

In most marginalized communities, it is always the case that as men and boys move in search of pasture, they are leaving women, children, the sick, and the elderly behind. This has increased the care burden for women, who are taking on new responsibilities, including as heads of households, in addition to their traditional gender roles. The increased burden of care for women during the drought means that they have less time to access services that they need, including sexual and reproductive health services. Safety particularly in times of crisis is just the first step towards gender equality.

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.

Lessons learnt

- i) Political will is very key in prevention and response to GBV;
- ii) Fast-track the development of Gender Bill from which Regulations on Centres for GBV survivors can be developed;
- iii) Need to fast track the persons with Disability bill that fully elaborates rights of women and girls with disability and reasonable accommodation in access to justice;
- iv) 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. Although the National Council for Person with disabilities has a legal department, they are limited in offering litigation services to persons with disabilities:

- v) 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;
- vi) Need to improve the criminal justice system where there are 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; where for example some terminologies' meanings cannot be comprehended in some languages. These challenges are compounded by the general lack of accessibility, including barriers right from physical structures and information;
- vii) 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;
- viii) Intensify resource mobilization to facilitate programmatic interventions in prevention of and response to GBV; and,
- ix) Thorough vetting of the employment bureaus operating in Kenya to combat trafficking of women.

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

22. In the past five years, what actions and measures has your country to promote women's participation in public life and decision-making?

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

Over the years, advocacy has been enhanced to have more women being appointed to boards. A report published by Kenya Institute of Management on the state of women representation in the public sector, in 2012, showed that gender representation was at 21% in the public sector whilst the listed companies stood at 12%. In 2017, it was noted that the listed company representation of women on boards was at 21%, surpassing all African peers to become the most gender diverse listed company exchange on the continent. Whilst Kenya was ahead of its peers in Africa, there has been a need to determine how we fared globally. The 2019 Equileap Gender Equality in Kenya Report assessed 60 listed companies and the findings showed a slight improvement with women accounting for 23% of the board members however of note is that this had almost doubled in the 5 years since 2012. Today we celebrate the progress made to achieve 36% gender diversity in

Kenyan boardrooms however there is much more to be done to achieve parity. Holding companies to a universal standard aligns the global gender equality movement and allows the adoption of best practice to demonstrate progress and a comparison against international benchmarks.

The 2020-21 Board Diversity & 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. The aim was to provide insights into best practices to drive parity by 2030, as enshrined in the Social Pillar of the Vision 2030 Blueprint and to assist in the realization of the United Nations (UN) Sustainable Development Goal 5 - Achieve gender equality and empower all women and girls.

Drawing on both primary and secondary data collected between December 2020 and March 2021 the following key findings were observed:

- i) In Kenya, gender diversity in the boardroom now stands at 36%, which is significant progress from 21% in 2017. In comparison, the global average of women holding board positions stands at 23.3% up from 20.4% in 2018.
- ii) Amongst our respondents, women constitute 21% of the appointed board chairpersons' appointments whereas the global average is 3.0%.
- iii) Female representation in C-suite roles in Kenya constitutes 37% compared to 21% globally.
- iv) The average age of Kenyan board members is 47.6 years, down from 55.8 years in 2017.
- v) Boards in Kenya are mostly constituted of professionals from the Accounting/Finance/Audit, Business Management and Development, Human Resources and Legal fields.
- vi) Gender and age are critical components in driving organizational performance, decision-making, and productivity.
- vii) Education level and national origin, to some extent, influence organizational performance.
- viii) Professional, ethnic, and religion, have a small effect on organizational performance, board decision making process, and productivity. They do however point to an important area for future research as we consider the evolving diversity landscape in Kenya, as well as the fact that this is generally under researched in global studies.

In Kenya various measures have been taken to enhance women's participation in public and private life. These include capacity building, technical assistance to counties, and inter-governmental sectoral forums. Civic education programmes have been rolled out county-wide to create awareness to both men and women about their role in the development process. Public participation guidelines have provided clear procedures on how to engage all people including men and women, the youth, marginalized communities and persons living with disabilities to participate in matters that affect their lives as stipulated in the Constitution of Kenya 2010, the Political Parties Act, 2012 and the Elections Act, 2012. The specific measures include:

Appointive and Elective Leadership:

The current Cabinet consists of 7 women Cabinet Secretaries out of 22, representing a commendable 32 per cent of the Cabinet. Additionally, three other women hold key Executive

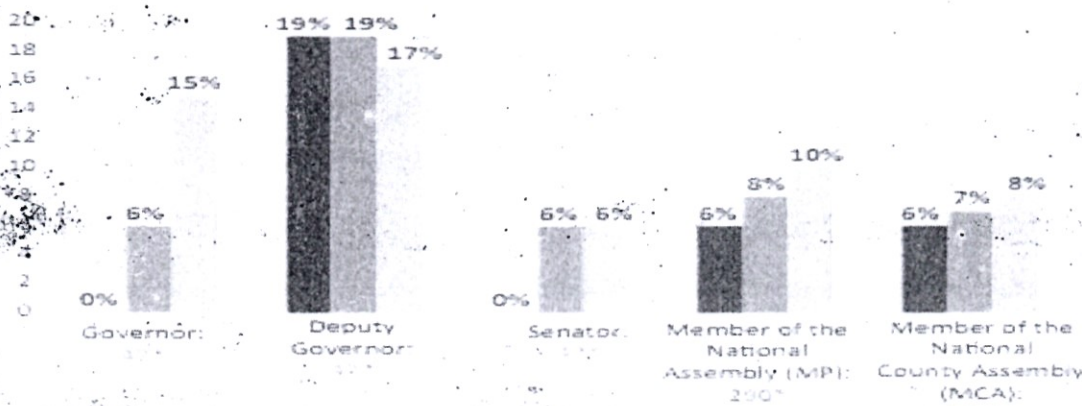
positions, including the **Advisor on National Security, the Advisor on Women's Rights, and Secretary to the Cabinet**, elevating the overall representation of women in the Executive to **39 per cent**. This reflects an improvement from the 2017 Cabinet, which featured a 30 per cent representation of women. Women also occupy key financial docket: Office of the Auditor General; Controller of Budget, Salaries and Remuneration Commission as well as Commission on Revenue Allocation.

Presently the women make up over 44% of the Judiciary. The offices of the Chief Justice, Deputy Chief Justice, 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.

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

Percentage change across the last three elections

Representation of elected 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. Likewise, 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. There was an increase of women leadership in parties where several political parties appointed women as secretary general or executive director, including the UDA, the Amani National Congress, and the National Rainbow Coalition -Kenya (NARC-K)- The ORPP enforced the two-third gender rule for party membership lists through its Integrated Political Party Management System. The overwhelming majority of the candidates' lists from most parties were gender compliant.

Implementation of the Not More Than 2/3rds Gender Principle:

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. To bolster this, 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.*” The not more than two-thirds gender principle is Kenya’s appreciation of use of gender quotas to increase women’s representation in decision making spaces. In order to achieve this Principle, there is a need to strengthen women’s collective voice, leadership and decision-making. Women’s full, equal and effective participation, leadership, and decision making in public and private sectors is key to their economic empowerment.

The Presidential Memorandum to Parliament dated December 9, 2022, addressed to the Speakers of the Bicameral Parliament, the President proposed an amendment to the Constitution enacted in 2010. The President wanted members of the two Houses to spearhead the process after the Supreme Court in the BBI case affirmed that the Head of State lacks authority to initiate changes to the Constitution.

He proposed that the 13th Parliament initiate amendments to the country’s supreme law, to establish a formula that will guide the computation of the gender ratio in the National Assembly. That formula, in a proposed amendment to Article 97(3) of the Constitution, according to the President, should be based only on the number of members elected in the National Assembly from the constituencies and counties. That computation, based on the current numbers in the House, would have 97 MPs as a third of the 290 elected MPs, adding on to the 47 affirmative seats, popularly known as the Woman Representatives.

The Establishment of a Multi-Sectoral Working Group (MSWG) on the realization of the ‘*not more than two-thirds gender principle*’ vide Gazette Notices No. 10848 and No. 11090 published on August 15 and August 25, 2023 respectively. The Working Group comprise state and non-state agencies representing diverse sectors was mandated 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. It submitted its final report and proposed legislative instruments to the Cabinet Secretary, Ministry of Gender, Culture, the Arts and Heritage on 22nd February 2024, for onward submission to Parliament for consideration.

KEWOPA

The Kenya Women Parliamentary Association (KEWOPA) is an association within the Kenyan Parliament that 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.

Its functions include: Advocacy for Gender Equality, Capacity Building, Networking and Collaboration, Monitoring and Oversight, Public Awareness and Sensitization, Support for Women's Participation in Politics, Policy Research and Analysis

The G7 Strategy is fronted by the seven women governors in Kenya. The strategy represents a significant milestone in Kenya's journey towards gender equality and inclusive development and demonstrates the commitment of Kenya's women governors to empowering women leaders, increasing women's representation in political decision-making, and delivering on the promise of devolution through their leadership. Part of the dream is to have 24 women governors post the 2027 elections.

By harnessing the collective leadership and expertise of the President and the seven women governors, the initiative holds promise for driving positive change and creating a more equitable and prosperous future for all Kenyans.

A Women's Rights Advisor's Office has been established in the Executive Office of the President on matters pertaining to Women's Rights and Empowerment. The Office supports 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 diligently played its advisory role to the President on women's leadership including the not more than two thirds gender rule of the constitution, economic empowerment and investments, Gender Based violence and has reinforced gender policy and programming in the country.

State capacity to address women's poverty depends on technical expertise, availability of resources, organizational structures, and the level of commitment to promoting gender equality. Coordination at various government levels, including central and ministerial levels is also critical for the effective delivery of gender equality outcomes. Institutions responsible for promoting and monitoring gender equality should have sufficient resources, visibility, clear mandates and authority to coordinate the government-wide initiative. Further, they also need access to gender-disaggregated statistics and data on gender equality outcomes. Citizen-generated data is now being recognized by government officials, who often lack the expertise, time, and resources to collect real-time data, as a valuable source of information.

The presence of champions within the state apparatus, extending beyond women's or gender ministries, plays a crucial role in advancing gender equality initiatives. Gaining access to influential decision-making arenas, such as Ministries of Finance, is essential for driving the implementation of gender-related policies. Participatory oversight, through Parliaments and civil society organizations, for monitoring of gender-related policies and outcomes is also essential. Representation of women in key public institutions that are critical in advancing gender equality ensures their voices are considered in the formulation and implementation of policies, legislation and strategies that contribute to the well-being of the citizenry.

The Commission on Administrative Justice-Office of The Ombudsman is a Constitutional commission established under Article 59(4) of the Constitution of Kenya 2010, and the Commission on Administrative Justice Act, 2011. The mandate of office of the Ombudsman extends to both national and county governments. The CAJ 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, manifest injustice or discourtesy. The Commission also has the mandate of overseeing and enforcing the implementation of the access to Information Act, 2016.

Capacity Building of aspiring women leaders: Various actors have initiated programs to enhance the capacity of women in political participation. The Ministry of Gender, Culture, the Arts and Heritage developed and implements a training manual for aspiring women leaders in collaboration with the Kenya School of Government, which targets women in their diversity including youth and women with disabilities. Other agencies include the Office of the Registrar of Political Parties which 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. The Civil Society through the Federation of Women Lawyers (FIDA-K) hired election monitors and observers accredited by IEBC, to track and report election-related GBV meted on female aspirants. They further provided pro-bono services for women who had been politically aggrieved after the election.

In order to strengthen women's capacity to engage and influence discussions at the county assemblies, a curriculum was developed to guide the female Members of County Assemblies on how to ensure that gender responsiveness in County Assembly development agenda is taken into account.

23. In the past five years, what actions has your country taken to increase women's access to expression and participation in decision-making in the media, including through information and communication technologies (ICT)?

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

Women are consistently reported as having less access to, and less use of, digital technologies in comparison to men in the developed world; a situation replicated in far worse degrees in the developing world. In Kenya, a 2021 study 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, a 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 means 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.

If women are to tap into the possibilities that are promised by digital technologies, they have first to develop interest in these technologies, learn about them and become proficient, and access them as consistently as their male counterparts. To this end, the government in partnership with multi-sectoral partners implemented efforts that are meant to drive up the participation of women in ICT. For one in 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. Further in

order 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 school as of 2022 with plans underway to expand the programme.

Another key intervention has been the AJIRA Digital training programme which targets young people and has as of 2023 successfully trained over 220,000 young people on digital and digitally enabled work skills with 53 per cent being young women. While the program is specifically targeted towards helping the youth find jobs within the digital economy, the training it provides women allows them entry into the field of ICT and thus allowing them to 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. This effort has been supplemented by the opening of free internet hubs across the country that are specifically aimed at the youth. These hubs are crucial for increasing internet access in low-income areas where the youth would otherwise have had no access to the internet.

Private actors have also been crucial in pushing women's participation in ICT. Safaricom for instance became a signatory in 2017 to the GSMA Connected Women Commitment 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. Further as part of their social responsibility initiatives many companies in media in Kenya are adopting policies that are aimed at increasing tech awareness among women and in providing for spaces for women by providing scholarships and job opportunities.

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

In the narrative report, please provide a summary of the evolution of your country's national machinery for gender equality, its mandate, location within government, current budget (in local currency and as a proportion of total government spending). Where relevant and possible, please provide data to support your responses. (2 pages max.)

The Government of Kenya has since independence put in place programmatic, policy, legislative and administrative measures towards realization of gender equality and women's empowerment including supportive institutional frameworks. 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 as the first single most important National Machinery for the advancement of women

rights in Kenya. 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, co-ordination 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 organisations.

The first National Policy on Gender and Development (NPGAD) was adopted in 2000. The policy provided a legitimate point of reference 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.

The State Department for Gender and Affirmative Action was established in November 2015 as the State Department for Gender under the Ministry of Devolution and Planning. 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. 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 anchors 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 /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.

The State Department for Gender and Affirmative Actions has four technical directorates; Gender Balance and Equality, Gender Policy, Research and Documentation, Socio-Economic Empowerment and Anti-Gender Based Violence

The Department hosts Semi-Autonomous Government Agencies that implement related gender functions on economic empowerment and provision of services to victims of gender-based violence. The institutions are:

- The National Government Affirmative Action Fund
- Anti-Female Genital Mutilation Board
- Gender Violence Protection Centres
- Women Enterprise Fund

The Department coordinates the National Gender Sector working groups 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 facilitated in monitoring of gender programmes in all the counties and expanded opportunities for resource mobilization at both the National and County Level.

Alongside the State Department for Gender and Affirmative Action, the other government entity tasked exclusively with the promotion of gender equality and the empowerment of women is the National Gender and Equality Commission. The National Gender and Equality Commission (NGEC) 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, older members of society, minority and marginalized groups. The functions of the Commission as provided for in Section 8 of the National Gender and Equality Act 2011 are to:

- i) promote gender equality and freedom from discrimination in accordance with Article 27 of the Constitution;
- ii) monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;
- iii) act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- iv) coordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof;
- v) monitor, facilitate and advise on the development of affirmative action NGEAC 2019-2024 STRATEGIC PLAN | 13 implementation policies as contemplated in the Constitution;
- vi) investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned;
- vii) work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
- viii) co-ordinate and advice on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
- ix) conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
- x) receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirement on the implementation of the principles of equality and freedom from discrimination;
- xi) work with the National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaborations in the protection and promotion of rights related to the principle of equality and freedom from discrimination;

- xii) prepare and submit annual reports to Parliament on the status of implementation of its obligation under this Act;
- xiii) conduct audits on the status of special interests groups including minorities, marginalized groups, persons with disabilities, women, youth, and children;
- xiv) establish, consistent with data protection legislation, databases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
- xv) perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and,
- xvi) perform such other functions as may be prescribed by the Constitution and any other law.
- xvii) The last publicly available budget from NGEK 2021/2022 449.9 million.

25. In the past five years, what other mechanisms and tools has your 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)

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

The Kenyan Constitution firmly upholds gender equality and women's empowerment, establishing National Values and Principles that guide all citizens in implementing public policies, particularly those concerning marginalized groups. To effectively realize these constitutional provisions, various instruments and mechanisms have been strategically put in place to ensure the successful integration of gender mainstreaming across all sectors.

Working closely with the state Department for gender as an oversight body is the National Gender and Equality Commission. The Commission promotes gender equality and freedom from all forms of discrimination with a special focus on special interest groups through ensuring compliance with policies, laws and practice.

The Department in collaboration with the National Gender and Equality Commission conducts performance evaluation of Ministries, Departments and Agencies in gender mainstreaming. The MDAs are presented with a template with various gender indicators which enables monitoring of gender mainstreaming status in the MDAs. Some of the indicators captured include the percentage of female versus male employees and the comparative percentage at senior and middle management levels. 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 NGEK on the status of gender mainstreaming in the public sector in the financial year 2022/2023 Ninety two percent of the public sector institutions have complied with the not more than two-thirds gender principle. Eleven percent of tertiary institutions, semiautonomous 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 785 females as opposed to 932 males.

- i) 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,
- ii) 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).

Following enhanced awareness on gender mainstreaming law reforms to address equality, 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, they extended time for submission for compliance.

At the legislative level, formation of women caucuses has been a key factor in advancement of women in Kenya. Women's parliamentary caucuses engage in a wide range of activities, including gathering data, conducting research, creating partnerships with allies within and outside the parliament, facilitating public discussions, raising awareness of key issues, promoting civic education, and learning from experiences in other countries, among others. The women parliamentary caucuses also engage in legal and policy reforms to promote gender equality, and members enjoy the benefits of capacity building on gender equality through partnership with NGO and development partners.

KEWOPA formed 10 Chapters across the country that will support and push 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. It also continually conducted Leadership and mentorship training for its members including a peer to peer mentorship program where the more experienced members mentor the first time members of parliament, a mentorship programme for women members of county assembly, as well as mentorship training for community aspiring women leaders and youth.

The Kenya Women Senators Association (KEWOSA) also works together with KEWOPA to encourage more women to vie for political positions spearheaded the formation of the women caucus for the members of the County assemblies which is key for mentoring other women into leadership positions.

Pastoralist women face numerous challenges including many general issues that are not specific to women eg conflict and extremism. The roll out of the community land act, needs to ensure adequate involvement and registration of women, as well as in compensation for land, which is often constrained by women's lack of documentation. The pastoralist women caucus aims 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.

Within the executive, to align with the government's plans as enshrined in the Women's Charter, the office of women rights advisor was established in the office of the president to enable women issues that have been previously ignored to be brought to the attention of the president. This will

greatly help to safeguard women rights and interests. The 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. This agenda covers critical areas which include, economic empowerment, gender equality in leadership, combating gender-based violence and safeguarding women's land rights.

Partnership is key in this journey of gender equality as it's about creating platforms where women can collaborate, share experiences and support each other and about men and women working together, recognizing that gender equality benefits everyone. Hence, partnerships between public, private, and civil sectors are also crucial in fostering environments where women can thrive in governance roles.

Kenya has 7 women governors. They formed a women Governor's caucus and in 2024 they launched a strategy with an aim of working together to deliver the promise of devolution through its Socio-economic Development, Political Strategy, Good governance, Accountability and Access to Justice and Institutional strengthening pillars. This will increase their chances of re-election and improve the opportunity to elect more women governors past the two-thirds constitutional gender threshold. They hope that through mentorship program to support women leaders at the grassroots level, establishment of a strong communication and branding strategy, and identification of potential and able women leaders to be trained to take up leadership positions they will have the number of women Governors increase to 24 in the next elections cycle.

Following the launch of African women Leaders-Kenya Chapter (AWLN) in 2020 -A network of women working to galvanize women leadership in Africa. -They have worked tirelessly to enhance women's participation in decision making through peer learning and mentorship among other strategies. They displayed their commitment to nurture and protect peace and stability by making a statement- representing the women of Kenya- during the 2022 elections which condemned the atrocities of the period and called on all relevant institutions to play their role for a peaceful Country. They 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. It aims to bring together young women leaders from diverse fields and backgrounds to build a supportive network that encourages cross learning, capacity building, advocacy and professional exposure

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.

At the county level, every county has a gender department headed by a director that is responsible for gender affairs at the county level. The State Department for Gender and Affirmative Action has also 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.

Gender equality is not a women's issue but should concern and fully engage men as well as women. Men need to be in the mainstream and need to be educated on their roles and importance in achievement of gender equality. The National gender Sector Working Group which initially had four thematic Committees launched the fifth thematic committee on Male engagement and inclusion in 2023. Following the launch, male engagement and inclusion is supposed to be institutionalized in National policies and strategic plans.

Women in different professions have continued to form associations e.g. women in Media, Women in Engineering. 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.

26. If there is a national human rights institution in your country, what measures has it taken to address violations of women's rights and promote gender equality?

In the narrative report, please provide details of up to three concrete examples of measures taken, including aims and scope of measures, target population, budget, impact evaluations, lesson learnt, and links to further information. In doing so, countries are encouraged to report on the institution's role in promoting women's rights in national legislation and policies. Please also provide information about actions for specific groups, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)

The National Human Rights Institution in Kenya under its constitutional framework comprises of 3 Organisations, namely; the Kenya National Commission on Human Rights, The National Gender and Equality Commission and Commission on Administration of Justice that have been operationalised through their legislative acts.

The operations of the KNCHR are guided by the United Nations-approved Paris Principles on the establishment and functioning of independent national human rights institutions. The National Commission has been accredited by the International Co-ordinating Committee of National Human Rights Institutions (ICC), which is based in Geneva at the Office of the High Commissioner for Human Rights, as an 'A status' institution, which means that the Commission has been found to be in compliance with the principles. The KNCHR is a member of the Network of African National Human Rights Institutions (NANHRI), the ICC's regional grouping for Africa.

The KNCHR has the function of receiving complaints and investigations in to violations of human rights including women and girls. in the last 5 years, the KNCHR has been able to receive 4350 complaints from Women and girls of with 522 were from Women with disabilities. The KNCHR conducted investigations into the said violations. It has been able to resolve 2149 matters.

Additionally, the KNCHR has been able to participate in the provision of redress mechanisms through with ADR, and Litigation has been utilized to secure the rights of Women and girls. The KNCHR participated in 7 litigation cases that enhanced the rights 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 being an A status NHRI, has affiliate status at the regional and international human rights mechanism including the African Commission on Human and Peoples' Rights, The African Committee of Experts on the Rights and Welfare of the Child, the Human Rights Committee, The Committee on Torture, The Committee on the CEDAW among others.

In steps to address violations of women's rights, the KNCHR 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. For instance, the KNCHR submitted advisory on the removal on reservation on Article 14(2) c) the Maputo Protocol that seeks to protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.

The National Gender and Equality Commission (NGEC) is a constitutional commission established by the National Gender and Equality Commission Act No.15 of 2011 pursuant to Article 59(4) & (5) of the Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya with a focus on special interest groups, which include: Women, Children, Youth, Persons with Disabilities (PWDs), older members of the society, minorities and marginalized groups.

The NGEC received and processed 350 complaints on the violation of the principles of gender equality and freedom from discrimination. The use of the online complaints management system still remains low among SIGs due to low technological know-how and poor ICT network infrastructure in the areas where they reside. 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.

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 has undertaken several public interest litigations aimed at promoting and defending the right to equality and freedom from discrimination. Notable ones include Petition 1 of 2019 National Gender & Equality Commission -v- Nakuru County Assembly, Speaker of Nakuru County Assembly & others that affirmed the right of nominated members of county assemblies to be appointed into chairs and vice chairpersons of various committees of County Assemblies, and clarified that the Constituency of nominated members of County Assemblies representing women, youth, minorities, Persons with Disabilities is the entire of the County, which should be factored during allocation of mileage allowances for such members. In the past three years, the Commission has invested more on Alternative Dispute Resolution (ADR) mechanisms and watching brief on court matters.

The NGEC is a member of the National Council on Administration of Justice (NCAJ) Committee on review of Sexual Offences Laws and Policy championing review of the Sexual Offences Act, 2006, the enactment of the National Policy against Sexual Offences and review of the whole gamut of laws touching on gender-based violence. It is also a member of the Victims Protection Board where it champions the rights of vulnerable victims of offences including gender-based violence, abuse of police power among others.

The NGEC is a member of the national implementation committee on Business and Human Rights established by the Attorney General. The Committee comprises of both State and Non-State actors to ensure the Country respects human rights. The Committee spearheaded the development of a national action plan on Business and Human Rights to ensure compliance with international standards to respect human rights in business process. The Commission is also a member of the 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 Rights Treaties. The Universal Periodic Review (UPR) is a process that assesses all human rights in all the 193 UN Member States.

Peaceful and inclusive societies

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

27. 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?

In the narrative report, please provide details of up to three concrete examples of measures taken, including aims and scope of measures, target population, budget, impact evaluations, lesson learnt, and links to further information, including specific actions related to National Action Planning on 1325 and the WPS Humanitarian Action Compact. Please also provide information about actions for specific groups, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)

Kenya recognizes the importance of drawing attention to the protection of women in situations of armed conflict and has been championing peace building initiatives. In this regard it is a signatory to UN Resolution 1325 which urges all actors to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts. More than twenty years after the adoption of the Beijing Declaration and Platform for Action (1995) and UN Security Council resolution 1325 (2000), the WPS-HA Compact calls for the redesign of peace and security and humanitarian processes to systematically and meaningfully include women and girls – including peacebuilders, refugees, other forcibly displaced and stateless women and girls – in the decisions that impact their lives. 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.

Legal and Policy Frameworks

i) **CEDAW and the Protocol to the African Charter on Human and People's Rights On the rights of women in Africa 2003** are some of the key international commitments that Kenya is

party to. It is also a signatory to the **African Union 2063 Agenda** that seeks to end all wars civil and violent conflicts and gender-based violence and to prevent genocide.

- ii) 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.
- iii) Developing a National Peacebuilding and Prevention Strategy: 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.
- iv) **International Conference on the great Lakes Region (ICLR) Framework**, which aims to strengthen women's participation and leadership in conflict prevention and peace and political processes.

Key documents that have informed programing in women, peace and security include:

- 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. The Refugees Act 2021 has the potential of providing a legal environment for refugees in Kenya to not only survive but to also thrive.
- iv) The civil society has been at the forefront in advocating for gender equality and equity in the country. Indeed, 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 1st KNAP and now the 2nd 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. They have continually steered the localization of the KNAP through training of stakeholders, sensitization, awareness raising. The KNAP 2024 mapped out actors implementing the women peace and security agenda at all levels and will strengthen the monitoring and accountability system.
- 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

Empowering Women as Peacebuilders: 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.

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 it build up interventions have helped mitigating climate change that has been major conflicts in pastoralists 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.

With support from **Rural Women Peace Link**, women from conflict prone counties 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. As a result, the women are engaging and encouraging women to actively participate in the local peace building processes in their communities which has enhanced the localization of the 2nd KNAP at the grassroots level. The Counties have also initiated the development of Local Action Plans so far there are 14 county action plans developed across the country. Translation of the National Action plan into Kiswahili and the poplar version into Kiembu, Akamba and Kisii.

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 in the informal Persons has been established. 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.

Programmatic Interventions

- i) 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 - 85% 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 29th January 2019. The objective of availing this information is to promote safe, orderly and regular migration.

- ii) The Government has committed to provide adequate resources for support services, including shelters, for victims of trafficking; During the 2022/2023 fiscal year, 20 million Kenyan shillings (\$197,530) was allocated to the National Assistance Trust Fund for Assisting Victims of Trafficking. Services consisted of medical care, psychosocial counselling, rehabilitation and reintegration support, food and clothing, legal aid, and transportation. In 2022, the National Police Service also began providing complimentary overnight security to the shelters
- iii) 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.
- iv) 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 conversation around mental health, climate change and leadership.

Development of 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 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 (0800222223) 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 and women situation room (EWER SWR); and
- v) The investigative capacity of the Directorate of Criminal Investigation's (DCI) Anti-Human.

Trafficking and Child Protect Unit (AHTCPU) has been increased. A new office has been established in Mombasa and the number of personnel has increased.

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.

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.

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 such traumatizing experiences 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 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;
- vi) Deeply entrenched patriarchal norms can create resistance to women's leadership in peacebuilding efforts. Traditional power structures may exclude women from decision-making processes, hindering their ability to influence outcomes;
- vii) 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,
- viii) 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.

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:

- v) More funding should be made available to research and document the impact of all forms of GBV – including imprisonment, torture, rape, sexual slavery and forced sex work – on women, men and gender relations.
- vi) 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 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.
- vii) 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.

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:

- i) 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.
- ii) 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:
- iii) 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.
- iv) 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.
- v) Civil society organisations, particularly women's organisations, need increased funding and resources. Women's organisations in conflict zones around the world 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.
- vi) 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.
- vii) When women are recruited, there needs to be an awareness that participation of females will not in itself guarantee that gender concerns will be addressed or that equality will

definitely result. Women are not automatically gender-aware and therefore, every recruit, regardless of sex, must receive training in how to identify and address gender concerns.

28. 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?

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

Lasting peace and security. Here we explore three key examples of this progress: Legislative and Policy Frameworks, Empowerment of Women in Peacebuilding, and Programmatic Interventions. Each section delves into concrete examples of how Kenya has established a foundation for women's inclusion, empowered them to actively engage in peace processes, and implemented practical initiatives to enhance their leadership roles. By examining these efforts, we can understand the successes achieved, challenges encountered, and valuable lessons learned in Kenya's journey towards a more inclusive and effective approach to peace and security. For meaningful participation of women in governance of peace, security and disaster management, Kenya has put in place several measures that have enhanced inclusive and effective engagement of women in conflict resolution. These include:

Legislative and Policy frameworks

Kenya has integrated gender perspectives into national security institutions and fostered the creation of crucial networks for women peacebuilders. They include:

- i) Gender representation in Kenya Defense Force (KDF) is steadily on the rise through incremental recruitment of women in KDF during annual recruitments. The MoD administration 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 lady 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. It is also the basis of the commitment and the success stories of MoD towards gender integration, equity, and women's empowerment within the institution.
- iv) Increasing Women's Participation in Peace Committees: The percentage of women participating in Kenya's peace committees has risen from 14% in 2018 to 34% in 2024 (MoINA) This has helped ensure women's voices are heard and their needs are addressed in conflict prevention and resolution efforts at the local level.

- 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:
 1. The Women Mediators Network brings together women engaged in local conflict mediation to share experiences, build skills, and advocate for greater inclusion.
 2. 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

This section will highlight 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. CAF has instituted capacity building programmes for the women Members of County Assembly (MCAs) on how to carry out their roles effectively.
- 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.
- 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.
- 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.

Programmatic Interventions

Programmatic interventions translate policy into action. From county-level women's leadership forums to initiatives that strengthen their economic empowerment, these programs demonstrate Kenya's commitment to realizing the transformative potential of women in achieving lasting peace and security. They include:

- i) 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;
- ii) IPS/TC 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; and,
- iii) 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.

Women representation in various peace related institutions (2023)

INSTITUTION	% REPRESENTATION
Military	12% female service members 9% female officers
National police Service	13.8% ⁸⁷
Supreme Court Judges	3 females - 42.9% 4 males
High Court Judges	79 females - 52.3% 72 males
Kenya Prisons Service	21.6 Department of Probation Aftercare Services 51.2
Cabinet Secretaries	33.3%
Regional Commissioners	2 females-25% 6 males
County Commissioners	17 females-36.2% 30 ales

vi) Similarly, As of Sept 2023, Kenya contributed 423 UN peacekeeping personnel, of whom 71 were female (16.8%), and ranked 41st in the world for contributions (as of 30th 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)

Type of UN Peacekeeping Personnel	Total	Male	Female (Number and % of total)
Experts on Mission	19	11	8 (41.1%)
Individual Police	13	9	4 (30.7%)
Staff Officers	46	31	15 (32.6%)
Troops	345	301	44(12.7%)
TOTAL	423	352	71(16.8%)

- iv) Peacekeeping—Under the Ministry of Defence driven National Policy for PSO, it was affirmed that 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).
- v) Defense Attaches' - KDF has just 2 Women defense attaches.

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.
- 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.

Lessons Learnt

- i) There's a 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. 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.
- 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.

29. **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?

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

Legal and Policy Frameworks

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 fulfil 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.

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.

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.

The framework of National Security is also provided for under the Constitution for protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests.

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. The act the recognition, protection, and management of refugees as per the 1951 United Nations Convention on the Status of the Refugees and the 1969 Organization of Africa Unity Convention governing key aspects of Refugee Problems in Africa. It acknowledges 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.

Institutional Reforms

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 situation 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.

The Judiciary also established 12 SGBV Courts which are uniquely designed to handle the delicate nature of SGBV-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.

Similarly, the Office of the Director of Public prosecutions have established a rapid reference guide for the prosecution of sexual offences in Kenya whose aim is provide an easily accessible resource for prosecutors to facilitate a coherent, expeditious and efficient prosecution of SGBV cases in a manner that will maximize convictions.

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 neighbourhoods and take precautionary measures to protect themselves and their children."

Children Act (Protection of Fundamental Rights and Freedoms of the Child) Children Court Practice Directions: In efforts to enhanced 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. Cases 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. 4. 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 of victims and witnesses involved in such proceedings as under the Victim Protection Act (no.17 of 2014).

Additionally, the National Police Services developed standard operating procedures 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.

The 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.

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 % and 98.3% 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 64.7% while domestic trafficking was 35.3%. 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.

Programmatic Intervention

The Taskforce on Children Matters of the National Council on Administration of Justice Conducted in 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 (60%) in which children are largely the victims though male children sometimes also stand accused. To a much lesser extent, offences such as stealing and assault bring children into the justice system. Significantly, 20% of children's cases handled by the police are those needing care and protection.

Analysis of administrative data from the National Police Service, the Judiciary and the State Department of Children Services reveal a pattern of injustice and delays in the administration of justice for children. Almost 80% of the children in the statutory children's institutions under the Department of Children Services have never committed an offence. Many of the children languish in these institutions, sometimes growing into adulthood as they await the resolution of their cases.

Coordination between the different child justice actors is weak, aggravated by critical knowledge and capacity gaps, and sometimes even apathy of judicial officers and others entrusted with the care and protection of children.

The Task Force found the quality of care and infrastructure in child holding institutions and facilities to be uneven. The dilapidated buildings, mismanaged, dirty and unsafe premises, ill-equipped and sparsely furnished dormitories caught the eyes of Task Force members, as they crisscrossed the country assessing the status of children in the justice system. Often they were found to violate the fundamental rights of the child to be treated with dignity and to access health care and nutrition, education and recreation. In a majority of police stations across the country, and in court stations, they discovered environments that were simply not friendly to the child.

The report contends, however, that this broken chain-link can be urgently fixed if State and non-state actors in the child justice system join hands and work together accountably - with integrity and dedication. It argues that the broken chain-link can be fixed if the State and the non-state actors move out of their silos, reaching out to each other, creatively and in humility, coordinating their efforts in recognition of the fact that they are all focusing on the same child. This child cannot be compartmentalized.

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. 85% of these refugees are from Somalia and South Sudan, who live in camps while 15% live in urban areas. Women and children, who account for 74% 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.

The Refugee Consortium of Kenya have 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.

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 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.

The National Council on Administration of Justice which is a multi-agency body that comprises of state and non-state actors have established 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.

Challenges

- 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.
- ii) While Kenya has developed frameworks and policies, ensuring their consistent and effective implementation across the country remains a challenge.

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.
- ii) Collecting and analyzing data on human rights violations is crucial for informing policy development, resource allocation, and monitoring progress.

30. 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?

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

Kenya has implemented several initiatives to promote girls' rights to education. Kenya's commitment to girls' education involves a combination of policy reforms, community engagement, and targeted interventions. While challenges persist, these initiatives contribute to creating a more equitable and supportive educational environment for girls.

There exist a number of policies, legislative reforms, plans and programs in Kenya targeting the girl-child. However, gender disparities still exist in the legal, social, economic realms, access to and control of resources, opportunities and benefits. In order to address discrimination against the girl-child the Government has put the following measures in place:

Legislative Framework

Kenya has 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 Act established statutory structures, including the National Council for Children's Services (NCCS), whose mandate is to exercise general supervision and control over the planning, financing and coordination of child rights and welfare activities and to advise the Government on all aspects thereof. In 2011, the council developed the Children's Protection System Framework and prepared the draft of the National Children Policy (NCP). The Children's Act 2022 which is most current stipulates under Article 23.

(1) No person shall subject a child to

- (b) female genital mutilation;
- (c) child marriage;
- (d) virginity testing;
- (e) girl child beading; and 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.
- (2) 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

The Constitution out-laws harmful traditional practices. The government has taken concrete measures to eliminate harmful traditional practices such as Female Genital Mutilation (FGM) and early marriage which affect the girl child negatively. There is also a notable reduction in the prevalence of FGM which affects the girl child's educational and other life attainments after enactment of the Prohibition Against FGM Act, 2011. The Children Act established statutory structures, including the National Council for Children's Services (NCCS), whose mandate is to exercise general supervision and control over the planning, financing and coordination of child rights and welfare activities and to advise the Government on all aspects thereof. The Children's Act 2022 also reinforces within Article 23(1)(b) No person shall subject a child to female genital mutilation. 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)

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

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

gender parity and fairness in the delivery of justice including up scaling training for people with disabilities and special needs. Since 2013 the government has been setting aside funds for the provision of sanitary towels for girls in schools from poor and marginal areas. The Area Advisory Councils (AACs) under the 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.

Efforts to address discrimination against girls in education, skills development and training The Constitution of Kenya 2010 ushered a new era for child rights by making special provisions for children. The education policy prohibits dismissal of girls from school on the basis of pregnancy and prohibits repetition of classes by students on the basis of performance. It strengthened collaboration with the Ministry of Education to reinvigorate the

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.

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.

Since 2013 the government has been setting aside funds for the provision of sanitary towels for girls in schools from poor and marginal areas. The Area Advisory Councils (AACs) under the National Council for Children's Services (NCCS), have the responsibility to protect the rights and welfare of children in their jurisdictions, supervise and regulate planning, financing and coordination of children's welfare programs, mobilize resources and facilitate funding, promote and create public awareness on child rights and child protection and facilitate partnership, linkages and networking. Additionally, the Sanitary Towel Program, launched in 2017 by the State Department of Gender and Affirmative Action, aims to increase girls' retention in school by addressing period poverty. This program provides free sanitary towels to 3.7 million girls in public primary schools, special primary schools, and secondary schools nationwide. By mitigating absenteeism due to lack of sanitary products, the program directly contributes to improved educational attainment for girls.

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.

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) include the Basic Education Act, which underpins the government's 100% 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.

Looking at Kenya's education sector in 2024 through the lens of girls' participation reveals a promising trend. Here's a breakdown of the 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 enrolment 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 physical 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 24.9% 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.
- 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.

Table 15.13: Enrolment in TVET Institutions by Sex, 2019 - 2023 (Cont'd)

Institution	Number									
	2019		2020		2021		2022		2023 ^a	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Other TVET Institutions										
Public										
Technical and Vocational Colleges ¹	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 ²	39,484	41,376	41,879	42,446	42,716	44,441	64,296	52,659	42,196	51,632
Vocational Training Colleges ³	81,421	54,129	89,663	60,038	97,624	65,381	85,155	77,116	88,254	67,492
Sub Total	186,252	142,268	207,958	156,132	228,982	172,107	241,689	207,197	291,889	246,220
Total	328,520	264,090	401,089	304,089	401,089	304,089	448,886	304,089	538,109	392,916
Grand Total	430,598	451,205	503,798	503,798	503,798	503,798	562,499	562,499	642,726	642,726

Source: Technical Vocational Education and Training Authority (TVETA)

¹ Provisional

² Formerly Kenya Technical Training College

³ Formerly Technical Training Institutes

⁴ Formerly Youth Polytechnics

⁵ Data not available

Table 15.14: Number of Government Sponsored Students Placed to Universities and TVET Institutions by Programme and Sex, 2019/20 to 2023/2024

Programme	2019/20			2020/21			2021/22			2022/23			2023/24 ^a		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Degree^b															
Public Universities	42,953	29,358	71,311	83,373	59,792	143,165	36,820	42,055	78,875	52,849	42,450	95,299	73,078	58,690	131,768
Private Universities	3,072	7,339	10,411	14,077	13,079	27,156	15,201	14,280	29,481	14,265	14,726	28,991	4,362	4,762	9,124
Sub-Total	46,025	36,697	82,722	97,450	72,871	170,321	52,021	56,335	108,356	67,114	57,176	124,290	77,440	63,452	140,892
Diploma	51,024	29,515	80,539	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	22,796	43,692	15,531	18,181	33,712	19,413	25,324	44,737	17,507	23,321	40,828	23,791	35,441	59,232
Artisan	4,264	3,456	7,720	2,965	3,477	6,442	4,750	5,873	10,623	4,352	3,310	7,662	6,355	7,409	13,764
Grand Total	112,795	92,616	205,411	112,711	104,729	217,440	136,172	134,604	270,776	126,310	129,649	255,959	160,507	169,660	330,167

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

^a Provisional

^b Degree programmes include Bachelor's and Master's programmes

The data given further shows the benefits of all these programs and many more including

The national re-entry guidelines 2020. These guidelines 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.

Education Equity Programs:

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 & Secondary Education Equity in Learning Program (SEQIP) benefited 9,900 in 2023. There is affirmative action in which 55% 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 counselling, 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 eg GEC (Girl's Education Challenge) and Kenya National Commission for UNESCO.

Framework for supporting refugee learners, implementing the Djibouti declaration of refugee Education.

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 enrolment.

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.

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.

<https://www.ca.go.ke/child-online-protection>

Health

The Constitution Article 53 (1) (c) guarantees every child the right to basic nutrition, shelter and health care. The Basic Education Amendment Act, 2016 establishes a Sanitary Towels Programme which places the responsibility of providing free, sufficient and quality sanitary towels on the government to reduce the number of girls missing school during their menstrual cycle or eventually dropping out of school. 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-abortion care services to adolescents. The policy also supports sensitization and implementation of the Education Re-entry Declaration and a social support system for adolescents. It encourages political leaders, planners and community leaders to enforce laws and policies to prohibit marriage of girls below 18 years; strengthen and scale up social protection for vulnerable adolescent girls to delay sexual debut as well as improve mental health and educational outcomes. These initiatives enhance the quality of life for the girls.

Despite numerous policies, legislative reforms, plans, and programs targeting girls, Kenya acknowledges the persistence of gender disparities. This response outlines three key measures undertaken to address these disparities and promote girl child rights.

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.

- v) The requirement for parental consent may limit girls' access to essential sexual and reproductive health services, potentially impacting their health and well-being.

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

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?

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

Kenya has rich biodiversity and a unique tropical climate with varying weather patterns due to differing topographical dimensions that support the biodiversity. The country also has a wide variety of ecosystems: mountains, forests, arid and semi-arid areas (ASALs), freshwater, and wetlands, coastal and marine. In addition to hosting diverse and unique landscapes and natural resources, these offer many opportunities for sustainable social and economic development for men and women.

Climate and environmental crises and disasters threaten the full realization of human rights, especially the rights to life and dignity, development, a life free from violence and discrimination, an adequate standard of living, the highest attainable standard of physical and mental health, water and sanitation, a healthy environment and others, with disproportionate impacts on women and girls, especially those in vulnerable and marginalized situations and conflict settings.

Despite its global nature and resultant vulnerability, climate change impacts do not affect all groups of people equally and sanitation, a healthy environment and others, with disproportionate impacts on women and girls, especially those in vulnerable and marginalized situations and conflict settings.

The degree to which people are affected by climate change is directly linked to their vulnerability. For women, their vulnerability is reinforced by the existing gender inequalities they face across social, economic, political, and environmental systems, and in turn, this means that women are more likely to be disproportionately affected by climate change.

In Kenya, patriarchy ascribes to women and girls the role of primary caregivers, thus the responsibility of securing water, food, and fuel for cooking and for taking care of household members including children, the elderly, and the disabled. In addition to these activities, women also engage in livelihood production, undertaking the bulk of agricultural work and contributing to productivity for consumption and for sale, while earning only a fraction of the income generated and owning a nominal percentage of assets.

Women interact with the environment on a day-to-day basis as they farm, collect and fetch water. This high dependence on natural resources for both reproductive and productive activities which are climate-sensitive underscores their vulnerability in the face of increased climatic change. However, this same dependence also makes them critical stakeholders in mitigation, adaptation, climate change finance, technology and capacity-building efforts. Women's participation in the efforts to manage the impacts of climate change is crucial.

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.

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.

Kenya, like other African countries, is bearing the brunt of climate variability and change; hence has developed a coordinated approach to address related vulnerabilities and risks. Adaptation and resilience remain Kenya's priority response to climate change. This was affirmed by the 15th African Ministerial Conference on the Environment (AMCEN) that, in the build-up to the Paris Agreement of December 2015, called for "a global goal for adaptation which takes into account adaptation needs and associated costs, including support for developing countries, while recognizing the need to increase adaptation investments in developing nations" and "an ambitious global mitigation action in the long-run, combined with large-scale, rapidly increasing and predictable funding for adaptation." AMCEN recommended that investment in building resilience must continue to be a top funding priority, including as an integral part of national development planning. This resonates well with Kenya's approach of mainstreaming climate adaptation in national and county (sub-national) development planning.

The Constitution of Kenya lays a strong foundational provision on environment and natural resources. The constitution mandates the State to ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits; work to achieve and maintain a tree cover of at least ten per cent

of the land area of Kenya; protect and enhance intellectual property in, and indigenous knowledge of, biodiversity and the genetic resources of the communities; encourage public participation in the management, protection and conservation of the environment; protect genetic resources and biological diversity; establish systems of environmental impact assessment, environmental audit and monitoring of the environment; eliminate processes and activities that are likely to endanger the environment and utilize the environment and natural resources for the benefit of the people of Kenya.

The Constitution makes provision for 'Every person has a duty to cooperate with State organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources. This can be viewed as confirmation by the State on its commitment to sustainable management and expected support in the execution of these activities from its citizens. Article 70 deals with the enforcement of environmental rights, and consists of three parts. The first part states: If a person alleges that a right to a clean and healthy environment recognized and protected under Article 42 has been being or is likely to be, denied, violated, infringed or threatened, the person may apply to a court for redress in addition to any other legal remedies that are available.

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 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.

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.

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.

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.

National Tree Planting initiative: In December 2022, the Government led by H.E President Ruto 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 the First Lady of Kenya, H.E. Rachel Ruto 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 12% to 30% and mitigate the negative impact of climate change. This 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.

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.

Sectoral climate change policies and initiatives

The following are some of the sectoral policies and initiatives developed with relevance to climate change mitigation and adaptation:

- **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.

32. 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?

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

Kenya has made significant progress in developing climate change legal and policies framework and strategies. 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 of Kenya 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.

Kenya has **adopted the 2030 Agenda for Sustainable Development**, including its 17 Sustainable Development Goals (SDG) with an aim to address women's concerns and to promote gender equality and empowerment across sectors including agriculture, energy, water, forestry and others.

Kenya's NDC (Nationally Determined Contribution) has been revised and updated. The updated NDC 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 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.

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 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.

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.

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.

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.

Inter-ministerial National Climate Change Coordination Committee, which consists of senior-level members from 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.

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.

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.

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 is during her tenure that the Climate Change Act, of 2016 was enacted. The Act has solid provisions that ensure that women's contribution to climate change adaptation and mitigation are adequately considered.

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

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).

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.

The **National Climate Change Framework Policy** was developed by the Government in 2016 to facilitate 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.

Challenges

- i) Inadequate resource reallocation amongst competing priorities affects transition to a low carbon climate resilient economy; and,
- ii) Lack of a legal framework for mainstreaming climate change across the different sectors. This inhibited the full-scale mainstreaming of climate change adaptation and mitigation:
 - i) 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
 - o The Paris Agreement imposes more reporting requirements on climate action and support thus necessitating capacity building for timely and efficient reporting.
 - o Land and environmental degradation.
 - ii) 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.
 - o Cross border and Trans boundary management of natural resources especially for shared
 - iii) 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;
 - o Rapid population growth and the resultant unplanned settlements have led to the displacement and increased vulnerability of communities.

Section Four: National institutions and processes

33. 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.

In the narrative report, please provide a summary of goals, targets, and priority actions, including target population, budget, status of implementation, and links to further information. Please also

provide information about actions for specific groups, such as those listed in question 3. Where relevant and possible, please provide data to support your responses. (2 pages max.)

In January 2022, Kenya has developed and implemented several strategies and action plans for gender equality, with a focus on aligning with the 2030 Agenda for Sustainable Development, including targets under Sustainable Development Goal 5 (SDG 5). One such strategy is:-

Kenya National Gender Equality and Women's Empowerment Policy (2019-2029) Period Covered: The policy covers the period from 2019 to 2029, aligning with the 2030 Agenda for Sustainable Development.

Priority Areas: The policy focuses on various priority areas, including:

Promoting women's economic empowerment through access to resources, skills development, and entrepreneurship opportunities.

Enhancing women's participation and representation in decision-making processes at all levels of society, including in political leadership and governance.

Preventing and addressing gender-based violence and discrimination, including harmful cultural practices and stereotypes.

Ensuring access to quality education and healthcare services for women and girls, including sexual and reproductive health services.

Strengthening institutional mechanisms for gender mainstreaming and monitoring progress towards gender equality goals.

The implementation of the National Gender Equality and Women's Empowerment Policy is supported by both domestic and international funding sources. The Kenyan government allocates budgetary resources to gender equality programs and initiatives, while international development partners provide financial and technical assistance to support specific projects and interventions.

Alignment with the 2030 Agenda for Sustainable Development: The National Gender Equality and Women's Empowerment Policy is closely aligned with the 2030 Agenda for Sustainable Development, particularly with SDG 5, which aims to achieve gender equality and empower all women and girls. The policy's objectives and priority areas directly contribute to the achievement of SDG 5 targets, including those related to ending gender-based violence, ensuring women's full and effective participation in decision-making, and promoting equal access to education and economic opportunities for women and girls.

Overall, Kenya's National Gender Equality and Women's Empowerment Policy provides a comprehensive framework for advancing gender equality and women's empowerment in line with the 2030 Agenda for Sustainable Development, including targets under SDG 5. Through strategic implementation and adequate resourcing, the policy aims to drive positive change and improve the lives of women and girls across Kenya.

34. 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.

In the narrative report, where possible, please provide disaggregated information and data on resources allocated to specific critical areas of the BPfA as well as reflections on achievements and challenges encountered in making budgets gender responsive. (2 pages max.)

- i) **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); and,
- ii) **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.

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.

35. 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?

In the narrative report, please describe participatory processes and mechanisms, including their impact on the implementation of the BPfA and the 2030 Agenda. Please also describe any mechanisms that are in place to ensure that women and girls from marginalized groups (listed under question 3 above) can participate and that their concerns are reflected in these processes. (1 page max.)

- i) **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;
- ii) **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;
- iii) **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;
- iv) **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:

- v) 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;
- vi) 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; and,
- vii) 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.

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 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.

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

In answering this question as part of the narrative report, countries are encouraged to describe participatory process and to reflect on the contributions that different stakeholders have made to the national report. (1 page max.)

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.

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.

37. 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.

In answering this question as part of the narrative report, countries are encouraged to describe participatory process and to reflect on the contributions that different stakeholders have made to the national report. (1 page max.)

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.

Convention on Elimination of Discrimination Against Women (CEDAW): The 9th periodic report of the Republic of Kenya on implementation of the CEDAW was prepared and submitted under the auspices of State Department for Gender and Affirmative Action in the Ministry of Gender Culture, the Arts and Heritage. The preparation was 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 were engaged on contextualizing the meaning and applicability of CEDAW provisions in Kenya. The state party report was due on 20th September 2022. Key issues concerning the rights of women to equality in the civil, political, economic, social, cultural or any other field.

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.

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.

African Charter and Maputo Protocol: The KNCHR in 2021 submitted a combined report on implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) in pursuant to the Commission's Constitutional and Legislative mandate to act as the principal organ of the State in ensuring compliance with obligations under international and regional treaties and conventions relating to human rights. The report is divided into two parts. The report provided information on the implementation of the African Charter on Human and Peoples Rights in Kenya. The Kenya's obligations under the Protocol to the African Charter on Human and Peoples' Rights on the rights of Women in Africa. The report draws from the work of the Commission notably complaints received, cases adjudicated before courts, monitoring reports, review and advisories to legislature on bills and laws, and general observations of the Commission on the status of human rights in Kenya.

Convention Against Torture: KNCHR submitted Report to Committee Against Torture on review of Kenya's 3rd 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.

Commission on Status of Women: The State Department for Gender and Affirmative Action in the Ministry of Gender Culture, the Arts and Heritage submitted the country report on the Annual session on the Commission Status of Women where it underscored actions taken by the government of Kenya in empowering women and girls, and through partnerships, in strengthening gender responsive economic and social policies. Key information in relation to enhancing the representation of women in key docket, in Government and the fulfilment of the Generation Equality commitments, a co-financed model of a GBV survivors' fund was established.

The National Gender and Equality Commission NGECE 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: The Concluding Observations and Recommendations Compliance Scorecard (CO&RCS) is an accountability tool for monitoring and reporting on steps taken by the State to promote and protect rights of women, children and persons with disabilities based on all conclusions, recommendations and feedback issued to Kenya by the HRTC. This tool is used by the National Gender and Equality Commission (NGECE) and its stakeholders including communities and networks to review progress made by Kenya in the implementation of concluding observations and recommendations issued specifically by the Committee on the Elimination of Discrimination Against Women, Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities.

Section Five: Data and statistics

38. 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?

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

- i) Kenya is among the twelve countries that are implementing the UN Women Programme Initiative of Making Every Woman and Girl Count (MEWGC). Further, Kenya has an interagency;
- ii) Coordination mechanism on gender statistics that is co-chaired by the State Department for Gender and the Kenya National Bureau of Statistics;
- iii) 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;
- iv) 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;
- v) Gender statistics have also informed enactment of legislation such as the Prevention of Domestic Violence Act, 2015 among others;

- vi) Kenya has made progress in disaggregating data by sex, age etc. in management information systems in different sectors e.g. Education, health, land; and.
- vii) 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.

The Census also incorporated the intersex.

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.

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

In the narrative report, please provide a brief explanation and examples of your plans (2 pages max.).

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

- 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.

40. What gender-specific indicators¹ has your country prioritized for monitoring progress on the SDGs?

In the narrative report, please also explain any challenges for collecting and compiling data on these indicators.

All indicators under SDG 5

Challenges

- 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.

41. What are the challenges that have been identified in your country in disaggregating data?

In the narrative report, please describe progress in data disaggregation over the past years, explain why certain disaggregation may have been prioritized and what barriers, if any, stand in

¹ 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).

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

the way of more comprehensive, routine disaggregation of data from 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), and the Multiple Indicator Cluster Survey (MICS). These surveys offer critical insights into various aspects of the population, enabling targeted interventions and policy formulations. National Council for Persons with Disability (NCPWD) collects data since they have a mandate to register persons with disabilities and disability mainstreaming/inclusion in the country. However, they have limitations in disaggregation by gender. During the 2022 Elections IEBC had disaggregated data by disability in the voters' register

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.
 - 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.
 - 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).
 - 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.
 - 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.
 - b) Housing Conditions: Information on housing quality, access to utilities, and ownership status.
- vi) Sector-specific Indicators:
 - 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.
 - 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.
 - 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.
 - 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 risks 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

Section Six: Conclusion and next steps

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

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

Kenya's efforts to align gender specific indicators to the country's 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.

LEGISLATION

Constitution of Kenya

Access to Information Act, 2016

Basic Education Act, 2013

Children's Act, 2022

Climate Change Act, 2016

Computer Misuse and Cybercrime Act, 2018

Counter-Trafficking in Persons Act, 2011

Data Protection Act, 2019

Evidence Act, 2021

Kenya's Digital Health Act, 2023

Law of Succession Act, 2018

Marriage Act, 2014

Matrimonial Property Act, 2013

Medical Council Act, 2013

National Gender and Equality Commission Act, 2011

Persons with Disability Act, 2003

Prohibition of Female Genital Mutilation (FGM) Act, 2011

Protection Against Domestic Violence (PADV) Act, 2015

Public Finance Management Act, 2023

Refugee Act, 2021

Sexual Offences Act, 2006

The Employment Act, 2012

The Health Act, 2017

Victim Protection Act, 2014

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