

INTEGRATION OF GENDER EQUALITY PRINCIPLES IN KENYA'S DEVELOPMENT PLAN

Baseline Study on level of Integration of SDGs 5 –Achieve Gender Equality and Empower Women and Girls in the Kenya's Development Plan

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Executive Summary

Empowering women and girls and promoting gender equality is crucial to accelerating sustainable development. The Kenyan Government has made great strides in respect to achieving Gender Equality in its development agenda. The commitment to gender equality arises from the international obligations emanating from the treaties, protocols ratified/signed/acceded and commitments by the Government of Kenya. The Beijing Platform for Action (BPFA), adopted at the Fourth World Conference on Women, recognizes that gender equality and women's empowerment are essential for addressing the central development concerns of poverty and insecurity, and for achieving sustainable, people-centred development.

The SDG Kenya Forum (hereinafter referred to as the Forum) comprises diverse Civil Society Organizations (CSOs) seeking to contribute to the implementation of the 2030 Agenda for sustainable development in Kenya. The Forum's membership and strategic partnership include government, academia, media and private sector. Details of member's engagement and roles can be viewed on the Forum's platform.¹ The forum aims to generate constructive ideas and has engaged other stakeholders in key development processes that support the achievement of the SDGs.

This baseline study involved collecting data from the key actors –national and county to identify key areas of focus in gender mainstreaming. Six counties were sampled namely: Nakuru, Bomet, Kitui, Kisumu, Kilifi and Kajiado. To collect data in Bomet, Kisumu and Kilifi, interviews were used, while a desk top review was used to gather data for Kitui, Kajiado and Nakuru. Nairobi was marginally interviewed due to its proximity, and willingness to supply information for the study. The study benefited from desk review information on alignment of the Kenya's economic development blue print – Kenya Vision 2030, the Medium Term Plan III (2018–2022), and the Big Four policy framework with the SDG 5 targets and indicators. This information will: (i) be used as the reference point to engage with the government and progressively measure the project performance against set targets during and at the end of the project; (ii) serve to validate the project outcomes in terms of attainability and where appropriate, provide justification for revision of some of the outcomes; and (iii) be used to improve the design of the project to allow for effective implementation.

Right-based assessment approaches and techniques were applied. Specifically, accountability assessments were subscribed to where there were provisions of evidence of unfulfilled rights/commitments classified into either rights or obligations. At the County and National level, the assessment was framed along the budgeting, planning, implementation and accountability so as to identify missed opportunities in the integration of gender equality and women empowerment. SDGs particularly goal 5 is only feasible if considered within the 5 key stages of Planning, Budgeting, Implementation, Reporting/Accountability. For purposes of engagement by the SDG Kenya Forum, the ministries responsible for gender at the national and county levels were the entry point.

The study observed that Kenya has made great progress in matters of gender equality by ratifying the protocols to the African Charter on Human and People's Rights though it has not

¹ SDG Kenya Forum at www.sdgkenyaforum.org

submitted any report for consideration. The study further noted that the country is guided by an out-dated gender policy of 2000, with attempts to review it since 2011. It was evident that none of the study counties had developed and adopted a gender policy as a framework to operationalize their commitment to gender equality. Overall all economic development planning at the county level as per the CIDPs -2018-2022 are guided by the MTP III-2018-2022 and its financing framework and focused on delivery of the Big Four Initiatives and the SDGs targets including other government initiatives. It was not clear how the role of gender officers posted in counties links with the county gender machineries; and all the counties do not clearly understand the concept of gender and gender mainstreaming and Gender Responsive Budgeting. The Executive arm of the County government and the legislative arm seemed to focus on major infrastructure projects and had no regard for gender concerns (and other social sectors) in their programming. While the National Government is committed to the SDG agenda on the 17 Goals, the Budgets at the County government did not reflect the required prioritization. The Gender Equality agenda within the SDGs is not only embedded in SDG 5, because Gender is a cross cutting issue in all other 17 goals.

The study recommends to:

- 1) Enhance the visibility of the SDG Kenya Forum to deliver on its mandate
- 2) Build capacity of duty bearers at the national and county Government to strengthen institutional coordination mechanism on Gender Mainstreaming.
- 3) Sensitize and create awareness on the SDGs at the citizenry level for accountability.
- 4) Mobilize more resources for implementation of Goal 5
- 5) Invest more in national and county statistical officers for gender responsive data for monitoring and evaluation
- 6) Act as the CSOs accountability machinery to continuously hold the Government to account on delivery of SDG 5 indicators and other connected gender indicators emanating from other SDGs

Acronyms and Abbreviations

| | |
|-----------|--|
| AGPO | Access to Government Procurement Opportunities |
| AU | African Union |
| BPFA | Beijing Platform for Action |
| CBOs | Community Based Organizations |
| CEDAW | Convention on elimination of All Forms of Discrimination Against Women |
| CECs | County Executive Committee members |
| CIDPs | County Integrated Development Plans |
| CoG | Council of Governors |
| CSOs | Civil Society Organizations |
| FGM | Female Genital Mutilation |
| GAD | Gender and Development |
| GDI | Gender Development Index |
| GEWE | Gender Equality and Women's Empowerment |
| IATC | Inter-Agency Technical Committee |
| KEPSA | Kenya Private Sector Alliance |
| KNBS | Kenya National Bureau of Statistics |
| MDGs | Millennium Development Goals |
| MTPs | Medium-Term Plans |
| NGDP | National Gender and Development Policy |
| NGEC | National Gender and Equality Commission |
| PWDs | People with Disabilities |
| SDGs | Sustainable Development Goals |
| SGBV | Sexual and Gender Based Violence |
| UN | United Nations |
| UN ECOSOC | United Nations Economic and Social Council |
| UNCRC | United Nations Convention on the Rights of the Child |
| UNDP | United Nations Development Plan |
| VNR | Voluntary National Report |
| WEF | Women Enterprise Fund |
| WID | Women in Development |
| YEDF | Youth Enterprise Development Fund |

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CHAPTER ONE

1.0 INTRODUCTION

1.1 The SDG Kenya Forum and its Engagement with Agenda 2030 of Sustainable Development Goals

The 2030 Agenda for Sustainable Development was adopted in 2015 during the 70th United Nations General Assembly to replace the Millennium Development Goals (MDGs). It comprises of 17 goals addressing cross cutting sectors that aim at realize sustainable development globally.² The agenda has the rallying call “*leave no one behind*” and aspires to enhance sustainability on economic, social, environmental and political development spheres

The SDG Kenya Forum (hereinafter referred to as the Forum) comprises diverse Civil Society Organizations (CSOs) seeking to contribute to the implementation of the 2030 Agenda for sustainable development in Kenya. The Forum’s membership and strategic partnership include government, academia, media and private sector. Details of member’s engagement and roles can be viewed on the Forum’s platform.³ The forum aims to generate constructive ideas and has engaged other stakeholders in key development processes that support the achievement of the SDGs.

To this end the Forum has promoted the engagement of CSOs with Government in most aspects of SDGs since 2016 when it was launched. The Forum uses a three-pronged approach: (i) CSO engagement with national and county governments on policy and legislative framework to strengthen commitment, financing, planning and implementation of the SDGs; (ii) empowering grassroots citizens to hold government (duty bearers) to account through ‘leave no one behind’ dialogues; and (iii) building partnerships with the government, international agencies, the private sector, media and academia for implementation of the SDGs. To demonstrate this, in 2017 during the Kenya’s Voluntary Review to the High Level Political Forum at the United Nations, the Forum authored the report (submissions) to the United Nations (UN) outlining the progress made by Kenya on the 17 Goals⁴. To date the Forum has made great achievements including: (i) In Research and Dissemination, where analysis of the MTP as a framework for implementation of SDGs, Vision 2030 and AU agenda 2063 and analysis of SDG 5 were undertaken; and (ii) In Monitoring and Reporting, the Forum convened members to draft the CSOs Voluntary submission to the Government of Kenya towards voluntary Nation Review Report of 2017. Further to this, the Forum held various citizen dialogues in counties i.e in Kakamega, Machakos, Kajiado, Meru and Nakuru, Taita Taveta, Siaya, Nairobi, Busia and Makeni and a national dialogue in Nairobi; and has developed and disseminated some documentaries.

The SDGs Kenya Forum, with funding from the Bill & Melinda Gates foundation, is implementing a 3 year program titled ‘*Strengthening the SDGs Kenya Forum as an accountability platform for Gender and Development*’. The program seeks to engage decision makers in the SDGs process and hold the government accountable for its promotion, planning, financing and implementation, specifically on gender equality priorities under Goal

² Agenda 2030 Sustainable Development Goals available at <http://www.sustainabledevelopment.un.org>

³ SDG Kenya Forum at www.sdgkenyaforum.org

⁴ Voluntary National Review (VNR) of Progress on Sustainable Development Goals (SDGs) in Kenya available at <http://www.sustainabledevelopment.un.org>

5 (Achieve Gender Equality and Empower all Women and Girls) in six counties namely Nakuru, Bomet, Kitui, Kisumu, Kilifi and Kajiado.

1.2 Background to the Baseline Study

1.2.1 Moving from Women in Development to Gender and Development

The Baseline Study (hereinafter referred to as the study) assessed the extent to which gender issues have been integrated into development processes in Kenya at the National and County levels of Government. Information on alignment with the SDG 5 targets and indicators was obtained from the Kenya's economic development blueprint- Kenya vision 2030, the Medium Term Plan III (2018-2022), the Big Four Agenda Policy Framework, experiences from the success and lessons learnt from implementation of the Millennium Development Goals and experiences from the treaty body reporting mechanism for example the Convention on Elimination of all forms of discrimination against women (CEDAW).

Despite the availability of a favorable legal and policy framework in Kenya, the implementation of the gender agenda lags behind other agendas. The pace of planning, financing and implementation of the gender equality SDG indicators at National and County levels has mainly focused on resolving administrative and technical challenges. These include defining existing indicators and mapping them to the intended national development agenda. SDG 5 seeks to achieve gender equality and empower all women and girls by 2030; and to track its progress the United Nations (UN) has defined 9 Targets and 14 Indicators for SDG 5. (See annex VI for the targets and indicators adopted)

Gender discourse, in a historical perspective conceptualization of women and development, has moved through various phases during the past few decades: from Women in Development (WID) approaches to Gender and Development (GAD). The Term Women in Development was coined in the early 1970s by a Washington-based network of female development professional on the basis of their own experiences. They felt that modernization was impacting differently on men and women and instead of improving women's rights and status; the development process appeared to be contributing to deterioration of women's position.⁵ The GAD approach focuses on change in the marginal position of women in society in order to achieve equal status and power. The GAD was concerned with power relations aimed at empowering women. An important step in achieving this was the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) adopted by the UN General Assembly in 1979. The Women's movements formed in 1970s demanded political, economic and social equality in society. This would enable women to take active part in development processes and proclaim the policy *Women in Development* (WID). The United Nations Decade for women and its associated women's conferences helped to institutionalize WID both within UN system and at the national level. WID advocates found that it was more effective if demands of social justice and equity for women were strategically linked to mainstream development concerns.⁶

The First Women Conference was held in Mexico in 1975. This coincided with the 1975 International Women's Year with an objective to remind the international community that discrimination against women continued to be a persistent problem in the world. Women

⁵ See Occasional Paper of February 1995 by the United Nations Research Institute for Social Development UNDP available at www.files.ethz.ch⁵

⁶ See CEDAW available at www.ohchr.org

demanded gender equality and at the end of meeting, the Women's Decade was declared (1975-1985).⁷ The assumption by feminists was that the WID approaches would make women visible as a way of having governments include them in the development agenda without necessarily changing existing policies. However, in the 1980s, it came to light that the feminist's opinion of WID was not entirely right. WID instead produced more than just a political strategy and generated new research, including analytical evaluations of the impact on rural women of development projects.⁸ Gender equality could not be achieved without questioning the existing social structures that cause women's subordination in a patriarchal society. WID, mainly focused on women's role in production without access to power and decision-making. The criticism of the WID approach led to the Gender and Development Approach. It was felt that women were invisible because of structural inequalities in society that were made worse by the patriarchal nature of society that viewed men as superior than women.

In Kenya, the women movement towards leadership and fair representation in socio-economic and political sphere had a humble beginning. This evolved from self-help groups during pre-independent period with the formation of Maendeleo Ya Wanawake (MYWO) in 1952, being the landmark.⁹ In the subsequent years, women movements in Kenya expanded, with specific focus on enhancing women's participation in leadership in appointive and elective bodies. MYWO was initiated as a welfare organization during colonial period but it became a formidable political movement in 1980s and 1990s. During this period, Women organizations emerged strongly in the country and majority were registered under the NGO Act as Non-Governmental Organizations (NGOs). The women organizations had varied agendas that included: empowerment of women and girls, gender issues in leadership, promoting women in leadership, women in politics, gender based violence and protecting the environment.

In 1985, Kenya hosted the UN Women conference in Nairobi. It aimed at appraising the achievement of the UN decade for women adopted in Mexico for Women Equality, Development and Peace. The Nairobi Forward Looking Strategies for advancement of women were adopted with focus on gender equality. The Federation of Women Lawyers (FIDA (K)) was formed after the conference to provide women with legal representation. It mainly focused on legal rights.

Prior to 1992, the only three women's organizations allowed to function by the KANU Government were MYWO, National Council of Women Kenya (NCWK) and the Nairobi Business and Professional Women's Organization. These were non-political and operated strictly on Governments terms.¹⁰ The Government had strict terms of operation for the women's organizations. Their role were limited to women's agenda strictly social welfare provisioning, promoting the role of women as home makers and mobilizing and organizing women at grassroots' level into women's groups to support agenda of male political elites. There was little change in women's status with minimum support for women's empowerment.

⁷ Deliberations available at www.unsystem.org

⁸ See Occasional Paper of February 1995 by the United Nations Research Institute for Social Development UNDP available at www.files.ethz.ch

⁹ Wanjiku Mukabi Kabira and Elishiba Njambi Kimani of the African Studies Centre on the Historical Journey of Women's leadership in Kenya available at www.ku.ac.ke

¹⁰ Maria Nzomo on Women Movement Agenda Setting. ...Available at www.ke.boell.org

In 1987 KANU co-opted MYWO in the ruling party. Political leaders later used MYWO to mobilize women's support especially during the Kenya African Union (KANU) era. Kenya women organized themselves in groups and clubs based and run by communities, such as: the Mabati women groups and the Nyakinyua groups in Central Kenya. It is said that Lady Baring the wife of the colonial Governor of Kenya visited groups in Machakos, Kitui and other places; and these later became members of Maendeleo ya Wanawake. Local women originally ran these groups with no support from Government of the day.

The second liberation political phase in Kenya saw pluralism accepted and political space open and liberal for CSOs including Women organizations. More women were facilitated to join politics and other leadership positions. Women were brought together in 1992 at a National Women's Convention under the theme "Women Agenda for Democratic Kenya." Women put aside their differences and united around the motto: Unity in Diversity of Women's Empowerment as a strategy for effective action towards the lobbying the state to facilitate the engendering process in Kenya. Women organization played a very active role toward the rallying call moving Kenya from WID to GAD agenda.

In 1995 the Beijing Platform of Action was adopted with 12 Thematic critical areas of concern; women and poverty, education and training of women, women and health, violence against women, women and armed conflicts, women and economy, human rights of women, the girl child, combating violence against women, women in power and decision-making, institutional mechanisms, women and the media and women and environment.

1.2.2 Kenya's pathway towards advancement of gender equality, women and girls empowerment

Kenya ratified CEDAW in 1984 and has been committed to it through periodic reporting. The last report was discussed with the experts in 2018.¹¹ The Beijing Platform for Action recognized that gender equality and women's empowerment are essential for addressing the central development concerns of poverty and insecurity, and in achieving sustainable development.

Institutionalization mechanism for advancement of women was one of the critical areas of concerns agreed upon in the Beijing Platform for Action. It has remained a measure used statistically to establish country's commitments to gender equality and gender mainstreaming. Nairobi Forward looking strategies in 1985 embraced the creation of gender machineries, while Kenya adopted its gender policy in 2000. There have been numerous attempts to review the policy to align it with the current international, regional and domestic evolution on gender and gender mainstreaming. However the Government has not endorsed the new policy.

The Kenyan government institutionalized its commitment to addressing gender inequalities since 2003. In the same year, the Government of Kenya established the Ministry of Gender Sports, Culture and Social Services within the Government's Organizational Structure. It also initiated Gender Desks in various ministries to oversee gender integrated in programmes of all government ministries and departments. The National Commission on Gender and Development was later established in 2004 as a semi-autonomous government agency with the mandate to support gender mainstreaming in all government ministries, advise on the impact of all government policies on women, monitor the situation of women, help

¹¹ See documents including concluding observation of the dialogue at www.ohchr.org

formulation of gender responsive policies and implement strategies to eliminate gender based discrimination. Under the auspices of the Ministry of Gender Sports, Culture and Social Services, the Sessional Paper No. 2 of 2006 on Gender Equality and Development, the Gender ministerial Policy was passed. From 2007, the Ministry of Gender, Children and Social Development became the mechanism for promotion and protection of children's rights, gender mainstreaming and the implementation of international agreements that address gender equality into the development process, engendering the national budget, promoting generation of sex disaggregated data as well as interventions, and enhancing collaboration and partnerships with stakeholders for sustainable development.¹²

In 2008, the Ministry of Gender Sports, Culture and Social Services was renamed the Ministry of Gender, Children and Social Development, with a mandate to formulate gender policies and carry out measures to eliminate gender discrimination. In the process that led to the adoption of a new constitutional framework, women of Kenya lobbied to have the creation of gender machinery as a constitutional body. Article 59 of the Constitution provided for creation of the *National Gender and Equality Commission* in 2011 as the body corporate with the mandate to promote gender equality and freedom from discrimination. This is an accountability body to hold the Government accountable on implementing gender equality commitments internationally, regionally and domestically. Specifically the National Gender and Equality Commission Act provides for the mandate.

Kenya's commitment to gender equality is evidenced in the progress made for several decades that culminated in gender equality framework in the new Constitution 2010. Tremendous achievements were made between 2003 and 2013. Some of the Key policy milestones included:

- The Sessional Paper No. 4 on AIDS in Kenya to provide policy framework within AIDS Prevention and Control. Subsequent strategies that have been developed over a period of time and acknowledge the gendered impact of HIV and AIDS.
- Introduction of affirmative action in University admission by according girls one point lower for admission. The same has remained in place to attract girls to science-based subjects and courses.
- Several successive government policy agenda have included gender issues. These include the Economic Recovery Strategy for Wealth Creation-2003, Poverty Reduction Strategy paper, National Development plan-2001-2007 and the Medium Term Expenditure Frameworks (MTP I, II and III). The vision 2030 agenda with the social pillar that requires gender consideration in all planning at all levels.
- In 2000, the National Gender Policy was adopted to mainstream needs and concerns of men and women, boys and girls into the development agenda.
- The Sessional paper No 2 of 2006 on Gender Equality and Development that further operationalizes the policy.
- National Policy on abandonment of FGM
- Deployment of gender officers in all government ministries

¹² See the Kenya Report to Beijing Platform implementation at www.sustainabledevelopment.un.org

At the legal front, good progress was made through drafting new laws and also piecemeal amendments of existing laws. Among the laws enacted include:

- Children's Act,
- Sexual Offences Act of 2006 and its amendments were passed with severe penalties for sex offenders.
- The Kenya National Commission on Human Rights Act of 2003
- Gender and Development Act 2003 established the Commission with coordination and gender mainstreaming mandate that provided for among other things paid maternity leave and also outlawed child labour.
- The employment Act.
- The Political parties Act of 2011 and its subsequent amendments have included the not more than two third gender rule in Political party's membership lists.
- Marriage Act of 2014
- Matrimonial Property Act
- Prohibition of female genital mutilation Act

Positive measures taken by the Government to promote gender equality to date include:

- Kenya National Bureau of Statistics (KNBS) has included minimum gender responsive indicators for most of their reporting template.
- Data is disaggregated by sex for planning purpose-but not in all sectors.
- Women have been engaged in economic empowerment activities through affirmative Action Funds.
- Principle of equity in access to resources has benefited women especially through the Access to public Procurement Opportunities reserved for women, person with disability and the youth.
- ICT has transformed women in business especially the use of Mpesa.
- Poverty data indicates that poverty levels are high in women than men.¹³
- Poverty eradication programme 1999-2015 gave consideration to the special uniqueness of women and reasons why they should be included in productive employment and call for equal pay for equal services.
- Several health sector reforms that culminated in sever policy frameworks and the adoption of the gender policy in health. Both maternal and child morbidity and mortality have been on decline. Incidences of HIV have remained high in women as compared to men.
- Media programmes were developed and supported women through Maendeleo Ya Wanawake (MYWO) and Association of Women in Media (AMWIK).
- Women enrolment and retention at all levels of education and schooling has been on the increase.
- Great investment has been made into promotion of TVET.
- Women political participation in politics has been very slow due to cultural stereotypes where communities frown on women's leadership. There is steady growth in other areas of leadership.

Women constitute half the Kenya population but remain invisible in many areas of development i.e. in labour force, political representation among others. Women organizations

¹³ See Several KNBS Household surveys.

have continually agitated for women inclusion in decision-making. The table below identifies some of the key women organizations and their areas of focus on achieving gender equality and empowerment of women in the earlier years.

Table 1: Women Organizations and Key Development Agendas

| No | Name of Organization | Key Development Area of Focus |
|-----|---|--|
| 1. | MYWO | Set to impart skills to women in the 1950s to improve standards of life of women. Its objectives were to be the voice of women, influence public policy, promote hygiene and domestic related activities, promote advancement of African Women , raise their living standards through self- help and to bring women together as good neighbours, cooperation's and education |
| 2. | Association of African Women for Research and Development (AAWARD) Kenya 1989 | Facilitated the development of feminist research and analysis to guide policy and action |
| 3. | National Commission on the Status of women 1992 | Rallied women on democratization and political representation and facilitated capacity building by training women candidates |
| 4. | The League of Kenya Women Voters LWKV 1992 | Facilitated women access to political power through the vote |
| 5. | FIDA (K) 1985 | Legal Rights of women and engaged in Public Interest Litigation on behalf of women |
| 6. | Kenya Women Political Caucus (1997) | Strengthening Mechanism for collaboration, mobilization and collective action among women's organization |
| 7. | Women political Alliance of Kenya | Strengthening Mechanism for collaboration, mobilization and collective action among women's organization |
| 8. | Centre for Multi-Party Democracy Women's program | Engendering political parties |
| 9. | Association of Women in Media | Engendering media giving women leaders a voice |
| 10. | The Coalition on Violence Against Women (1995) | Advocacy against gender based violence |
| 11. | Centre for Rights Education and Awareness (CREAW) | Support women in access to justice, governance and leadership and health and governance. |
| 12. | The African Communication and Development Network (FEMNET) | Had presence in Kenya and other African countries and focused on communication, training and gender mainstreaming. |

Despite agitation by these organizations, prevailing challenges have inhibited achievement of gender equality and equity in Kenya. These include:

- Practice of harmful cultural practices like child marriages and female genital cutting (FGM),
- Increased cases of violence against women including intimate partner violence;
- Gaps in law and legal policy framework that has inhibited change of mind set for both men and women. Women are greatly underrepresented and women's rights have not been considered as human rights.
- Lack of gender statistics and data disaggregation by sex, age, ethnicity, disability among other social factors.

The foregoing efforts have demonstrated the enthusiasm and interest that Kenya has in ensuring integration of gender equality and women empowerment in at least selected distinct fields for example the efforts made to ensure realization of the not more than two third gender rule in political participation. Kenya is one the few countries in Africa celebrated for formulating pro-gender equality legislative and administrative framework. The 2010 Constitution recognizes women rights as human rights, and prohibits discrimination on basis of sex, gender, residence, and pregnancy among other grounds.

The devolution of power, resources and responsibilities is perhaps the greatest constitutional investment that Kenya has ever made in the last half a century in creating opportunities and spaces for closing all dimensions of gender gaps. There are however no assessments undertaken to estimate the extent to which the devolution development framework have mainstreamed gender perspectives or are prepared to fulfil the commitments in each of the indicators and targets under SDG5. This study might as well be the first of its kind to be undertaken. Therefore there is need to interrogate the County Integrated Development Plans (CIDPs), the Annual Development Plans and other attendant frameworks at the county level. Section 102 (f) of the County Governments Act commits counties to engender their budgets.¹⁴ Further the political representation in the county assembly is forced to respond to the two third gender rule principle by dint of article 177(1) of the constitution.

The formulation and implementation of the Kenya Marshal plan -Vision 2030 is yet another robust framework with greater potential of closing the gender gaps and improving women's social, economic and political representation and empowerment. There are clear strategies and procedures under the social pillar for promoting gender equality and women empowerment. However, there only exists unstructured and unsystematic processes for assessing to what extent the Vision 2030 agenda and its attendant frameworks including the flagship projects have mainstreamed issues of gender and what reforms may be required to ensure faster and effective realization of the SGD 5. The Third Medium Plan (MTP III) 2018-2022 is the second to be developed under the devolved system of Government. Its implementation and financing framework focused on delivering the "Big Four Initiatives" and leveraging on private sector investment through public Private Partnerships (PPPs).

¹⁵There is an opportunity to assess how these frameworks are prepared to ensure integration of the SDG5 indicators and targets in efforts to ensuring gender equality and inclusion.

¹⁴ See section 102 (f) of County Government Act 2012

¹⁵ The MTP III 2018-2022

1.3 Purpose of the Baseline Study

The baseline study set to assess the extent to which gender issues have been integrated into development processes. The study benefited from desk review information on alignment of the Kenya's economic development blue print – Kenya Vision 2030, the Medium Term Plan III (2018–2022), and the Big Four policy framework which include: Enhancing Manufacturing, Food Security and Nutrition, Universal Health Coverage and Affordable Housing– with the SDG 5 targets and indicators. The study also looked at how the various key policies on gender have been mainstreamed into national and county development plans. The study sought to assess the effectiveness of the existing institutional arrangements, accountability mechanisms and the available resources for implementing SDG 5. The findings will be used by the Forum information will be used as the reference point to engage with the government and progressively measure the project performance against set targets during and at the end of the project. Additionally, the baseline survey will serve to validate the project outcomes in terms of attainability; and where appropriate, provide justification for revision of some of the outcomes. Information collected during the survey may also be used to improve the design of the project to allow for effective implementation.

It is therefore important to establish the current status of affairs at the National and County Government on matters of gender aimed at achieving Goal 5 of the SDGs

1.4 Scope of Work

The Scope of the assignment included the tasks as follows:

- i. Undertake a comprehensive analysis of the development plans and processes (including the Medium-Term Plan III; The Big 4 Agenda; Kenya Vision 2030) and their alignment with SDG 5. This process was to go hand in hand with a detailed review of the various development plans and processes to understand how gender is mainstreamed as well as review the existing gender policies and propose how best to be included in the development processes;
- ii. Undertake an analysis and assessment of various institutional mechanisms in place at both county and national level for effective implementation of SDG 5;
- iii. Design assessment tools for initial review by the SDGs Kenya Forum/ Development Initiatives before they are applied in data collection to ensure the baseline is comprehensive and addresses key objects in the project;
- iv. Develop an actionable report with clear observations, consultations and recommendations based on a predetermined outline;
- v. Understand the desired focus counties of the intervention and the corresponding timelines for the delivery of the report.
- vi. Review SDG 5 targets and indicators and propose how best to mainstream them into the development processes.
- vii. Propose methodology and develop study instruments and tools to meet the project aims to answer the above questions.
- viii. Sample and visit three Counties out of the six to test the findings from the desk review on the ground.

Additionally, this baseline conducted interviews and collected data from 3 counties - Bomet, Kilifi and Kisumu. Rationale for this was to test the desktop review and ascertain progress made in implementing the Goal 5 indicators. The desire was to learn as much as possible the different approaches taken to facilitate understanding and programming with the SDGs at the centre of the development agenda.

1.5 The Approach to the Study

The consulting team undertook desk review of the various development plans and processes to understand how gender is mainstreamed in each plan and also reviewed existing gender policies; Data was gathered from the key actors –national and county to identify key areas of focus in gender mainstreaming. The study further reviewed SDG 5 targets and indicators identifying the challenges encountered in mainstreaming. A tool –questionnaire was developed for use to capture the data required, as an appropriate methodology to meet the project aims and answer the above questions.

1.6 Study Deliverables

The deliverables envisaged in the study were to develop:

- A plan of study implementation
- A short proposal stating the budget and methods of data collection
- A final report within 35 days
- A credible and factual document on the issues related to mainstreaming of SDG into national development policies.
- The SDGs Kenya Forum will engage the national and county governments on gender-related issues using the outcome report.

Other anticipated deliverables include:

- Analysis of the county Integrated plans (CIDPs) plans and how they are aligned to SDG 5.
- Analysis of institutional mechanisms in place for effective implementation of SDG 5.
- Assessment of available resources for mainstreaming gender.
- Analysis of gender perspective in national flagship programmes.
- A list of key opportunities and constraints in promoting gender to meet SDG 5 targets.
- A plan of action recommending how best to mainstream SDG 5 into development process.
- Assessment of county Planning on gender mainstreaming and budgeting in the 6 targeted counties.

1.7 Concepts and Definitions on gender equality, women and girls empowerment

SDG 5 aims to achieve Gender Equality and empower all women and girls. Women tend to have less power or influence in society with less access to resources and decision-making. There are less opportunities available to women in both public and private spheres. Achieving gender equality often requires activities for intervention to promote women's rights and empowerment to achieve gender equality. It is important to see the meaning of the three key terms that are used in the study; thus understanding what is gender, gender mainstreaming and gender equality and women's empowerment. It is also necessary to indicate why gender matters in development.

i) Gender is a social construct of the roles and responsibilities of men and women assigned by a community to men and women boys and girls. Gender is critical in programming because men and women play different yet complementary roles and hold different status in society. Most communities' interactions favour male gender against the female. The needs of

men and women are also different yet critical for purposes of development. Thus it is important for any programme to consider the differential nature of the relationships in order to effectively address the development challenges. On the other hand, sex means biological characteristics, which distinguish human beings as female and male.

ii) Gender Mainstreaming as defined by the United Nations Economic and Social Council (UN ECOSOC) means the process of assessing the implications for women and men of any planned action including legislation, policies or programmes in all areas and all levels ensuring that the concerns, perspectives, needs and experiences of women and men, girls and boys are taken into account in the design, implementation, monitoring and evaluation of any intervention including in budgeting process. This is to ensure that women and men benefit equally in political, economic and social undertakings and that drivers of inequality are not perpetuated.

iii) Gender Equality refers to the equal rights, responsibilities and opportunities of women and men and girls and boys notwithstanding their sex and gender. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups / categories, for example those with disabilities or marginalized, or age. Gender Equality refers to the equal rights, responsibilities and opportunities of women, men, girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibility and opportunities will not depend on whether there are born male or female.¹⁶ The feminist's approaches examine how male dominance and female powerlessness manifests in specific aspects of society. Patriarchy is constantly challenged. This is any culture that privileges men promoting traditional gender roles.

iv) Women Empowerment refers to the process of women gaining power and control over their own lives and opportunities. It constitutes an important part of the efforts to bring about equal opportunities for men and women and involves awareness raising, building self-consciousness, expanding choices, increasing access to and control over resources and actions to transform the structures and institutions which reinforce and perpetuate gender discrimination and inequality.

(v) Gender stereotypes are simplistic generalizations about the gender attributes, differences, and roles of individuals and/or groups. Stereotypes can be positive or negative, but they rarely communicate accurate information about others. When people automatically apply gender assumptions to others regardless of evidence to the contrary, they are perpetuating gender stereotyping.

¹⁶2 ECOSOC (1997) Report of the Economic and social Council for the year 1997

CHAPTER TWO

2.0 THE RATIONALE OF THE STUDY

2.1 Background International and regional commitments

The Fourth World Conference on Women, held in Beijing in September 1995, became a landmark event in the history of women's rights. The Beijing Platform for Action (BPFA) was adopted at the Conference and recognizes that gender equality and women's empowerment are essential for addressing the central development concerns of poverty and insecurity, and for achieving sustainable, people-centred development (Hannan, C. 2000). The United Nations ECOSOC followed up and came up with the definition of Gender mainstreaming as:

Mainstreaming a gender perspective is the process of assessing the implication for women and men in any planned action, including legislations, policies or programmes in all areas and at all level. It is a strategy for making women as well as men's concerns and experiences an integral dimension of design, implementation, monitoring and evaluation of policies and programmes in all political, economic, social spheres so that women and men benefit equally and inequality is not perpetuated. The Ultimate goal is to achieve gender equality.

The Beijing Platform for Action is followed up by world conferences every fifth year. Responses to the Platform for Action on women have had a profound impact on bringing gender equality issues to the centre of public awareness and policymaking, and are the guiding points for both national and county governments. It is on this basis that the baseline study sought to find out how both the county and national governments of Kenya have integrated the SDG 5 in their policy and development plans.

Empowering women and promoting gender equality is crucial to accelerating Sustainable Development. The Kenyan Government has made great strides in respect to achieving Gender Equality in its development Agenda. The commitment to Gender Equality arises from the international obligations emanating from the treaties, protocols ratified/signed/acceded by the Government of Kenya. These include: the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) which Kenya ratified in 1984, the Beijing Platform for Action of 1995, the International Conference on Population and Development – Cairo (ICPD) of 1994 and the Covenant on Economic Social and Cultural Rights,¹⁷ among others. The United Nations Resolution 1325 on women and peace and security was adopted in 2000 and re affirms the importance of the role of women in prevention and resolution of conflicts, peace, negotiations, peace building, peace keeping, humanitarian response among others.¹⁸ At the continental and regional levels Kenya is a party to; The African Charter on Human and Peoples' Rights (Charter)¹⁹; Maputo Protocol on the Rights of Women in Africa²⁰ which provides that States Parties should combat all forms of discrimination against women through appropriate legislative, institutional and other measures; and the Solemn Declaration on Gender Equality in Africa by the Heads of States and Government in 2004 reaffirming the gender equality commitment as enshrined in the constitutive Act of African Union (AU) and making commitments to accelerate implementation of gender specific

¹⁷ Kenya acceded ICCPR in 19972 and it is up to date with periodic reporting See status at www.tbinternet.ohchr.org

¹⁸ Resolution (S/RES/1325 available at www.un.org

¹⁹ See the Banjul Treaty at www.achpr.org/files/instruments/banjul_charter.pdf

²⁰ See Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa available at www.achpr.org/files/instruments/women-protocol/achrp_instr_proto_women_eng.pdf

economic, special and legal measures aimed at combating HIV and AIDS, ensuring full participation and representation of women in peace processes, ending gender based violence, expanding and promoting gender parity principle at the AU and other regional economic committees, ensure active participation of women and guarantee land and property rights to women, inheritance and rights to housing among others. In May 2018, the East Africa Community (EAC) Gender Policy was launched taking the developmental approach that promotion of gender equality and empowerment of women was central to the mandate to EAC and intrinsic to its development agenda. The AU adopted their Gender Policy in 2009 and recently adopted the first strategy for Gender Equality and Women's Empowerment 2018-2027. The milestones at the African level included the creation of the African Peer Review Mechanism (APRM) as well as the Gender and Civil Society sector with the NEPAD. The United Nations Economic Commission for Africa introduced the African Gender and Development Index in 2004 as a tool to help members States in measuring gender gaps and assessing progress made towards realization of gender equality. It was piloted in 12 countries; later 14 countries including Kenya subjected themselves to the evaluation. It is a great tool that will help countries measure their gender equality and empowerment of women performance.

At the ICPD Cairo, reproductive rights and health were defined. It stipulates that reproductive rights embrace certain human rights that are already recognized in national laws, international human rights documents and other relevant to United Nations consensus documents. These rights rest on the recognition of the basic rights of all couples and individuals to decide freely and responsibly the number and specifying of children and to have the information and means to do so and the right to attain the highest standard of sexual and reproductive health. It also includes the right of all to make decisions concerning reproduction free of discrimination, coercion and violence as expressed in human rights documents.²¹ At the African Level, the Maputo Plan of Action on Sexual and Reproductive Health and Rights, the African Health Strategy and the Campaign on Accelerated Reduction of Maternal Mortality in Africa (CARMMA) 2009 and the recent campaign to end child marriages are some of the policy framework for reference.

2.1.1 Kenya and the devolved system of Government

Women provide 80% of Kenya's farm labour and manage 40% of the country's smallholder firms yet they own only roughly 1% of the agricultural and receive just 10% of available credit.²² The report dubbed '*Women and Men in Kenya, facts and Figures*', in 2017 observed that Kenya's economy is growing, poverty is declining and devolution is bringing government closer to Kenya's citizens. It further noted that Kenyan women remain disadvantaged economically, socially and politically. It calls for working with men and boys at all levels including at home and workplace and community to bring the desired results. Notable devolution in Kenya has created opportunities for women's increased participation in governance and decision -making through quotas as provided by Article 177 of the Constitution. This has a clear implementation framework for the not more than two thirds gender equality principles as enshrined in Article 27 of the Constitution at the County level.

²¹ Report of the International Conference and Development, Cairo, 5-13 September 1994, UN Doc. A/CONF.17/13/Rev.1 (1994)

²² KNBS Women and Men in Kenya Facts and Figures available at www.knbs.or.ke

However the two-third-gender rule has not been achieved at the Parliament level because of lack of a clear legal framework. The Supreme Court in 2012 advised that gender equality attainment should be progressive. This is a set back and has been a subject of much civil litigation in the Kenyan courts of law. Women political representation in National Assembly stands at 21.8% and Senate at 31% all failing the threshold of meeting 33% as the Constitutional bare minimum. In total, parliament has gender representation of 26.3 % making Kenya to be among the low performers in Africa, with Rwanda leading at 61.5%. Others top performers are: Namibia, at 46.2%, South Africa 42.7%, Senegal at 41.8%, Mozambique at 39.6%, Ethiopia at 38.8%, United Republic of Tanzania at 36.9, Burundi at 36.4%, Tunisia at 35.9%, and Uganda at 34.9.²³

On realizing Sexual and Reproductive Health and Rights (SRHR) Kenya recognizes the right to health including reproductive health rights in the constitution (Art. 43). Previously, the Ministry of Health developed numerous health policies and strategies to guide implementation and comply with the ICPD reporting. For example the Adolescent Reproductive Health and Development policy, the National Reproductive Health and HIV and AIDS integrated strategy, National Reproductive Health policy, and the National Road Map to accelerating the Attainment of the MDGs Related to maternal and new Born Health in Kenya among others.

In ushering in the new constitutional dispensation that promotes health and reproductive health as rights and operationalization of the devolved function in health, the government adopted a new policy framework the Kenya Health Policy 2014-2030.²⁴ In schedule four of the Constitution of Kenya 2010, the objectives and principles of devolved government include Cooperation between national and county governments, support to county governments, and resolve conflict of laws between different levels of government. In matters health, at *the National Government* the functions include: Health policy; national referral health facilities; capacity building and technical assistance to counties. Similarly for *County health services*, the functions include; County health facilities and pharmacies; ambulance services; promotion of primary healthcare; licensing and control of undertakings that sell food in public places; veterinary services; cemeteries, funeral parlours, and crematoria; refuse removal, refuse dumps, and solid waste; and Staffing of county governments. In operationalization, respect is accorded to the existing laws in support of devolution.

To implement health-devolved function, the Government adopted the Kenya Health Policy 2014-2030 and later enacted the Health Act No. 21 of 2017. The policy and the law situate health and reproductive health care as human rights commitments drawing its mandate from schedule four of the constitution. The situational analysis of the health policy reflecting on SRHR noted that maternal health has stagnated with little improvement in use of modern contraceptives (33%-46), and limited decline of maternal mortality and morbidity- ill health among children was still high. Steady knowledge and attitudes regarding sexually transmitted infections has led to decreased transmission. The policy objectives include equitable distribution of health services and interventions; people centred approach, participatory and multi-sectoral approaches and social accountability. It recognizes the need to mainstream gender in all planning and implementation of health programmes and includes ensuring access to comprehensive maternal, neonatal and reproductive health services and reducing

²³ See IPU website at www.archieve.ipu.org

²⁴ See the Kenya Health Policy 2014-2030 accessible at Documents/kenya_health_policy_2014_to_2030.pdf

unsafe sexual practices among key population. The Institutional arrangement for programming is set out in the policy; thus the National and the referral services and ensuring and maintaining standard of the highest quality of health care delivery. The County supervision is done by county health management teams to ensure that health policies are implemented. Sub level supervision is carried out by County health management teams within their areas of jurisdiction.

On the other hand, based on the Health Act, maternity care and child vaccination under 5 years is free and compulsory. The National Health System is mandated to work in a manner that respects the distinct levels of government while respecting the principles of cooperation as set out in the law. The Act stipulates the functions of the national and county level governments. While the national level is responsible for setting up relevant laws and policies and standards, the county is responsible among other things to implement. By law counties set up the county health system with every county establishing a county executive department responsible for health with the office of the County Director of health, who shall be the technical; advisor on matters health in the county. At the national level, the law established the office of Director General for Health who is the technical advisor to the Government on all matters relating to health within the health sector. The Kenya Health Professions Oversight Authority is established and administered by a board with mandate to regulate health professionals and set up standards of operation. (See part V of the health law). The Act defines reproductive health care broadly using the ICPD Cairo health rights language (See section 6). Reproductive health care includes (a) the right of men and women of reproductive age to be informed about and to have access to reproductive health services including safe, effective affordable and acceptable family planning services, (b) the right to access appropriate health care services that will enable parents to go safely through pregnancy, child birth and the postpartum period, and provide parents with the best chance of having healthy infant and (c) access to treatment health professional for conditions occurring during pregnancy including abnormal pregnancy conditions such as ectopic, abdominal and molar pregnancy, or any medical condition exacerbated by the pregnancy to such an extent that life or health of the mother is threatened, All such cases shall be regarded as comprising of notifiable conditions.

The Constitution of Kenya provides for limited circumstances for health providers to give safe and legal abortion, where in the opinion of a trained health practitioner, the life of a mother and baby are in danger (see article 26(4)). In 2012 the Ministry of Health launched Standards and Guidelines on Reduction of Maternal Mortality in Kenya from unsafe abortion. However the guidelines were withdrawn in December 2013. The withdrawal sparked constitutional question on the right to access safe legal abortion in Kenya. FIDA (K) and Centre for Reproductive Rights filed Petition 266 of 2015, which is currently being heard by a five-judge bench. On a separate move on 7th June 2013 through a presidential directive on free maternity services the Director of medical services issued a circular to practitioners that did include post abortion care (PAC) as part of maternity services to be given free of charge. This means PAC is recognized.²⁵ Other notable policy documents on the reproductive health include Ministry of Health National Guidelines on Management of Sexual Violence 2014, National Guidelines for quality obstetrics and perinatal care and the various professional codes of conduct (nurses, clinical officers and medical practitioners). On adolescents, there is the National Adolescence sexual reproductive health policy. The HIV and AIDS Prevention and Control Act of 2006 is the Kenyan guiding framework on HIV. The East African

²⁵ See a report by KELIN on Legal Framework on Legal Framework on Abortion on Kenya available at www.kelin.org

Community HIV and AIDS Prevention and Management Act 2012 requests member states to ensure access by youth and adolescents to information and education on sexual and reproductive health.

Kenya has adopted Universal Health Coverage as one of the top priority Big 4 agendas of the current Government. Its target by 2022 is all persons in Kenya will be able to use essential services they need for health as well as being through a single unified benefit package without risk of financial catastrophe. The WHO defines UHC as the ability for persons to receive the health services they need without suffering financial hardship.²⁶ The UHC is linked to the Kenya Vision 2030. Kenya has demonstrated that Universal Health Coverage is possible and that the State requires strategic partners to realize it and that the realization of UHC has the potential to propel Kenya to higher income level. Scaling up of maternal and child health are identified as key areas of focus. The UHC pilot program dubbed Afya Care has been launched in the counties of Kisumu, Nyeri, Isiolo and Machakos. Lessons learnt will be used to scale up to the rest of the country. Within the Big 4 agenda, the proposal is to adopt the Agency model by activating Community Health Worker Network, Legal reforms to align NHIF to UHC, Multi-tier Benefit packages and digitalisation of NHIF and has adopted a new low cost service delivery model with gradual increment of budgetary allocation.²⁷ The Ministry of Health has prepared a policy brief that outlines the possibility of operationalization of UHC and has refocused on quality of care and increased demand for services toward attaining universal health coverage in Kenya. It outlines barriers and challenges that require to be addressed.²⁸

2.1.2 Kenya's Framework for implementing SDGs-Lessons Learnt from MDGs

Kenya's framework for implementing the SDGs is anchored on its long-term development blue print –the vision 2030. The overarching goal of the vision is to create “a globally competitive and prosperous country with high quality of life by 2030. The aim of the vision is to transform Kenya into “a newly industrialized and middle income country by providing a high quality of life to all citizens in a clean and secure environment. The vision is anchored on three pillars namely economic, social and political with gender equality as a cross cutting theme. The vision is implemented through five-year Medium–Term Plans (MTPs). Currently Kenya is implementing MTP III together with the new Big Four transformative agenda and the Sustainable Development Goals.

Kenya committed itself to the concluded MDGs and has developed its SDGs plan based on lessons learnt from the MDGs implementation. The shortfalls observed in the process of implementing the MDGs included failure to operationalize the National Steering Committee that was to spearhead implementation and give direction at the national level, limited involvement of stakeholders and failure to mobilize required resources. The documented lessons learnt included failure to have an institutional framework reflecting the national outlook, need for stakeholder collaborations, failure to meet set targets, little involvement of universities in research on MDGs, lack of ICT strategy, lack of innovativeness in financing the MDGs and the need to recognize regional disparities and adopt a regional approach in implementation.²⁹

²⁶ See the definition available at www.who.org

²⁷ See details on the Big 4 agenda from www.president.go.ke

²⁸ See the Ministry of Health UHC Policy brief available at www.health.go.ke

²⁹ Progress in achievement of MDGs in Kenya Final status Report, June 2016

The Kenya Road Map to SDGs appreciates that some of the targets in the 17 Goals for example Health and Agriculture have been devolved and therefore calls for strong partnership with County Governments. The delivery of SDGs and specifically SDG 5 is dependent on achieving other goals. For example the level of poverty and unemployment, are affected not only by economic conditions, but also by whether all people, including women and youth, are able to access labour markets and are empowered with the skills required for effective participation. Access to quality education and skills training are definitely vital, as is the removal of legal and other barriers to full participation in social and economic life. In the area of Gender Responsive Budgets, (GRB), all counties observed that the gender departments of the county governments were least funded. However the subject of GRB is reserved for another commissioned study by the Forum.

2.2 The Gender Legal and Policy Framework Kenya to address SDGs

The study is anchored on domestic and International Commitments that promote the principle of gender equality and non-discrimination. (Article 27 of the Constitution 2010)

- a) **The Constitution of Kenya 2010-** Provides for the principle of equality and non-discrimination and specifically requiring special measures and programmes to implement the not more than two third gender rule in appointive and elective offices and in administrative procedures.
- b) **The Kenya Vision 2030** with the three pillars namely; Economic Pillar that seeks to realize a sustained average economic growth rate of 10% per annum; The Social Pillar that seeks to realize just, cohesive and equitable social development in a clean and secure environment; and the Political Pillar that seeks to achieve an issue-based, people centred, results-oriented and accountable democracy.
- c) **The MTP III (2018-2022)** emphasizes the promotion of gender equality. The Big 4 agenda is an action plan implemented under the MTP III. In realization of the agenda in selected four major areas, the government will undertake policy appraisals of national and county governments to identify gender gaps and develop frameworks to guide policy review to engender them. The State Department of Gender sees the opportunity for interventions that link women to affordable housing, affordable credit to affirmative action groups for activities directed at food production, manufacturing and housing sector. It will also intensify campaigns against Gender based violence and harmful cultural practices and partner with county governments and sensitize communities to increase registration with the national Hospital Insurance Fund and other health insurance providers.³⁰
- d) County Government Act 2012, gives effect to the constitution for county governments powers, functions and responsibilities to deliver on the devolved functions.

At regional and International level, the following frameworks exist.

- e) **The Maputo Protocol, 2005;** Maputo Protocol, guarantees comprehensive rights to women including the right to take part in the political process, to social and political equality with men, improved autonomy in their reproductive health decisions and an

³⁰ See Kenya Country Report-Position paper of 32st January 2019 to the Commission on Status of women available at www.gender.go.ke

end to female genital mutilation. It was adopted by the African Union in the form of a protocol to the African Charter on Human and Peoples' rights. This year 2019, marks the 15th anniversary of the Maputo Protocol and the Maputo Plan of Action (MPoA) which is the implementation framework for the Continental Policy Framework on SRHR and the five year review of the Addis Ababa Declaration on Population and Development (AADPD+5). The Project –the Right By Her campaign focuses on increasing CSOs contribution to implementation of the African Commitments to women and girls rights. The focus of the campaign is on GBV, harmful practice, reproductive rights and sexual and reproductive health and HIV and AIDS. Kenya ratified the Maputo Women protocol with reservations on Article 10 and 14(2) (c)

- f) **The Vienna Declaration and Programme of Action 1993;** The declaration recognizes that the human rights of women and children are an inalienable part of the universal human rights and calls for the elimination of gender based violence. It affirmed that women's rights were human rights.
- g) **The International Conference on Population and Development Cairo and its Programme of Action (ICPD PoA)** made the linkages between population policy and programming with focus on human lives. The programme underscores the integral and mutually reinforcing linkages between population and development. It called for reduction of child mortality, maternal mortality and provision of universal access to education and universal access to reproductive health services, including family planning. Globally there has been remarkable increase in contraceptive prevalence rate and adolescent births have declined steeply and maternal mortality ratio has fallen. However progress has been slow and uneven.³¹ In Nairobi, Kenya, this year, November 12-14 2019, the World will mark 25 years anniversary of the ground breaking international conference on population and Development. The Nairobi Summit on ICPD 25 Accelerating the promise will offer an inclusive platform bringing together Governments, CSOs, Private sector and women's groups to accelerate implementation of ICPD Programme of Action.
- h) **Beijing platform for Action, 1995** sets out the 12 critical concerns that are still relevant to date. In 2020, the global community will mark twenty- fifth anniversary of the fourth world Conference on Women and adoption of the Beijing Declaration and platform for Action. A five –year milestone will be reached towards achieving sustainable Development Goals of the 2030 Agenda.
- i) **The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW);** promotes women's rights and obligates states to report periodically. Kenya reported last in November 2017 and the concluding observations made are pending dissemination and implementation. In two year time thus 2020, Kenya is expected to update the committee with the progress made and is due for next reporting in 2024.
- j) **Africa Agenda 2063,** Gender Equality is a critical element of the aspirations of the Africa we want as articulated in the agenda documents.
- k) **African Women's Decade (2010-2020),** aims to hold Governments accountable on their continental and international commitments for gender equality and women's and

³¹ UNFPA overview available at www.unfpa.org

girls empowerment. At the end of the decade, progress will be evaluated. At the regional level many initiatives have been undertaken.

- 1) **The Sustainable Development Goals (SDGs), 2015** specifically, Goal 5 on gender equality and empowerment of women and girls with 14 clear indicators. Gender related indicators are visible in other goals especially those touching economic structures, education, health related, public life and human rights of women and girls. For example Goal 3(Health and Well being) has 6 out of 26, Goal 8 (Decent Work and Economic Growth) has 8 out of 11, Goal 10 (Reduced Inequality) has 1 out of 11, Goal 11(Sustainable cities) has 3 out of 15, Goal 13 (Climate Action) has 1 out of 7 and Goal 16 (Peace and justice strong institutions) has 16 out of 23. This is an indication that gender equality is a cross cutting theme in SDGs implementation. Monitoring of the link gages of Goal 5 indicators with the rest of the other goals is critical.

Kenya comprises of one State under the leadership of the President who is the Head of government and 47 Semi-autonomous County Governments headed by Elected Governors. Since 2015 Kenya has been ranked as a low medium income country. In the last election - 2017, Kenyans elected three female Governors³² as opposed to 2013, when there was no female governor elected to the position.

In 2018, Kenya was rated No. 142 out of 189 entries in the Human Development Index by UNDP³³. Out of this the Kenya's Gender Development Index (GDI) is calculated at 0.931 with the HID of 0.568 for women and 0.610 for men. Thus Kenya was ranked position 110 out of 164 entries. The report noted that Gender inequality remains one of the greatest barriers to Human Development, an indicative that women are lagging behind.

At the African level, the African Gender Development Index provides policy and planning framework to monitor African's progress in implementation of gender equality. Kenya was assessed alongside 12 other African Countries in 2017.³⁴ The findings were that Kenya has made great progress in matters of gender equality by ratifying the protocol to the African Charter on Human and People's Rights though it has not submitted any report for consideration. Kenya is committed to the Solemn Declaration on Gender Equality in Africa. Kenya had domesticated the commitments through its constitutional framework, the constitution 2010 and the subsequent legal framework for enforcement. Kenya, like many other African counties expects to reverse the trend and close the gender gaps through accelerated financing for implementation of gender equality and women empowerment programs.

2.3 The Sustainable Development Goal 5-Achieve Gender Equality and Empowerment of Women and Girls Implementation Snapshot

This goal focuses on gender mainstreaming and women empowerment. To this end, Kenya has identified and adopted 13 out of the 16 possible indicators in SDG 5 to monitor its commitment towards promoting gender equality. Kenya has also volunteered in the past for self-evaluations and reporting on levels of preparedness towards implementation of gender

³² These are Hon. Jpyce Laboso for Bomet County, Hon. Charity Ngilu for Kitui County and Hon. Anne Waiguru for Kirinyaga County.

³³ View full report at www.hdr.undp.org

³⁴ The United Nations Commission for Africa -Africa Gender and Development Index Regional Synthesis Report 2017

mainstreaming. The Kenya Parliament in 2016 volunteered to have a self-assessment on extent to which the legislature has integrated principles of gender equality in their operational systems, legislative function, and conduct of business. In 2017, the Judiciary also benefited from an intra-review process on the extent to which the judicial reform program initiated in 2014 had resulted to meaningful impact on gender equality and women empowerment within the Judiciary and its core function.

2.4 Advancement of Gender Machineries in Kenya at National Level - Historical Perspectives

The functions of the Commission to promote gender equality monitor and facilitate and advise on integration of the principles of equality and non-discrimination. The mandate includes all the vulnerable groups that include women, persons with disabilities, the youth, children and the marginalized³⁵: The commission coordinates gender mainstreaming and acts to provide accountability role.

In the Government's further re-organization of the new Government agenda, in 2017, the *State Department of Gender* was retained but operationalized under the larger Ministry of Public service Youth and Gender Affairs, with a mandate to promote gender mainstreaming in national development processes and champion the socio-economic empowerment of women. The directorate's overall mandate is coordination of gender mainstreaming in national development, formulation, review and management of gender related policies, negotiations, domestication and reporting on gender related issues to international and regional treaties and promotion of equitable socio-economic development between men and women. The Department therefore is responsible for the following key functions;

- Coordination of gender mainstreaming into national development;
- Formulation, review and management of gender related policies;
- Negotiations, domestication and reporting on gender related international and regional treaties and conventions;
- Promotion of equitable socio-economic development between women and men;
- Implementation of Uwezo fund;
- Implementation of Women Enterprise Fund;
- Monitoring of 30% access to government procurement opportunities for women, youth and persons with disabilities;
- Coordination and maintenance of sex disaggregated data;
- Establishment and implementation of gender management system;
- Coordination of activities on anti- FGM; and
- Coordination of programmes for the reduction of gender based violence (GBV)

2.5 Challenges towards Gender Mainstreaming and Women Empowerment

At the close of the MDGs, the UNDP evolution indicated that despite progress made, gender inequalities still persist. For example women continue to face discrimination in access to work, economic assets and participation in private and public decision-making. Women are

³⁵ See the National Gender and Equality Act available at www.kenyalaw.org

more likely to live on poverty than men. Further those women remain disadvantaged in labour market and that the world still has to go far towards realizing gender equality.³⁶

In Kenya Patriarchy that is at the centre of stereotypes that undermine women making them subordinate to men. This causes discrimination based on sex and gender. Among key challenges identified by the closure of MDGs in 2015 included the following:

- Women's political participation is curtailed due to male dominance in political process commencing with political parties that are owned and financed by men. Despite the progressive constitution providing for gender equality at all levels, data available shows women still lag behind at 26.7% in Parliament. County Government Assemblies managed to get 33% of women in leadership, courtesy of the constitutional framework in Article 177.
- There are cultural barriers from attitude society take toward the division of labour and responsibilities.
- Practice of harmful cultural practices still persists in some communities, thus compromising decision making for women for example practice of female genital mutilation and early child marriages and preference to take boys rather than girls to school when families have limited resources. FGM and Child marriage is still on the increase. Women unable to access right to sexual reproductive health and rights.
- Continuous rise of Gender based violence despite numerous measures put in place to control the vice-legislative or policy or administrative.
- High cases of domestic and intimate partner violence escalating to murder and manslaughter.
- Cultural attitudes toward women's triple roles at community, family and reproductive; where women work is undervalued and not paid for. The concept of shared responsibility has not been embraced.
- There is limited involvement of women in community development agenda. Most community consultations happen at timings that are not conducive for women.
- The media continues to present women negatively in relation to leadership with stereotype remarks.
- The national and county governments despite having the machineries continue to present very gender-neutral data. Available data is not always disaggregated by sex age, disability, geographical etc.
- Women are not actively involved in matters of environment and climate change.
- High level of teenage pregnancies with age appropriate comprehensive sex education not taught in schools, because of restrictions and resistance from religious organizations. Abortion law is still restrictive despite the Constitutional provisions. There are great barriers to adolescents and young people who are sexually active accessing.

2.6 Coordination of Gender Mainstreaming At County Level

The presumption has been that the County Governments have the mandate to mainstream gender equality and hence establishment of an Institutional framework for advancement of gender equality and women's empowerment.

Article 179 of the Constitution provides for creation of the County Governments and its functions. The Governors are mandated to establish County Executives. The executive

³⁶ The Millennium Development Goals Report 2015 available at www.un.org

authority vests in the hands of the Governor but is exercised by County Executive Committee members (CECs). They are appointed by the governor and approved by the County Assembly. Most County Governments in respect of the Gender Equality Principle in the Constitution of Kenya 2010 have established the mandate of Gender Equality and Women's empowerment in one of the ministries created. The structure of the ministry at sub government level seems to be similar with variations adopted by different Counties. For instance Nairobi County has the *Ministry of Education, Youth, Gender, Sports, Culture and Social Services*. Kilifi - *the Ministry of Gender, Social Services, Culture and Sports*. Similarly Bomet - *the Ministry of Youth, Gender, Sports and culture*. Kajiado, Nakuru and Kitui all have named their ministry as: - *the Ministry of Youth, Sports, Gender and Social Services*. Kisumu has in place the department of Gender under ministry responsible for education. For purposes of engagement by the SDG Kenya Forum, the ministries responsible for gender will be the entry level.

The Council of Governors and the Ministry of Public Service, Youth and Gender Affairs in January 2019 signed an Intergovernmental Framework that will provide a mechanism for consultations and cooperation between the National and county government on gender matters. Therefore, the engagement of the County Governments with the State Department of Gender and the National Gender and Equality Commission is welcome towards programming for SDGs.

CHAPTER THREE

3.0 METHODOLOGY

A combination of methods was used for the baseline study in order to capture best practices. Both primary and secondary data collection methods were employed.

3.1 Sampling

Purposive and convenient sampling was used to identify the relevant respondents. This was premised on the fact that those who hold relevant information are a specific group of people with relevant expertise on Sustainable Development Goals, specifically goal 5. Three counties namely Bomet, Kilifi and Kisumu were sampled and visited.

3.2 Research Design

Qualitative and quantitative methods of data collection were used in obtaining primary and secondary data collected through face-to-face interviews at both national and county levels. Relevant County and National policy and development plan documents were reviewed, and face-to-face interviews enabled the interviewers to clarify issues.

3.3 Methods and Tools of Data Collection

3.3.1 Quantitative Tool

A short questionnaire was administered to the respondents in order to capture key aspects required for effective implementation of SDG5. This included questions such as: Does the county have necessary legal and policy framework supportive of the implementation of SDG5; what planning tools does the country and intervention counties have, and are they effective; what technical and financial resources are set aside every year to support implementation of the SDG5; what new innovations and thoughts should the country invest in to fully implement the SDG5; what are the contributions of the SDG Kenya Forum and other non-state actors in the delivery of the SDG5; What more should private actors do; among others?

3.3.2 Qualitative Tools

A Key Informant Guide was used for in-depth interviews. The Key Informants were male and female members, who were purposively sampled from: National Government, Civil Society Organizations, Youth (male and female) and Women Leaders.

Right-based assessment approaches and techniques were applied. Specifically, accountability assessments were subscribed to where there were provisions of evidence of unfulfilled rights/commitments classified into either rights or obligations. At the County and National level, the assessment was framed along the budgeting, planning, implementation and accountability so as to identify missed opportunities in the integration of gender equality and women empowerment. SDGs particularly goal 5 is only feasible if considered within the 5 key stages of Planning, Budgeting, Implementation, Reporting/Accountability.

3.4 Final Baseline Report

This report will be the final Baseline report that conveys the messages gathered during the consultations and analysis undertaken. Graphical representation will be used as necessary to illustrate the findings, and recommendations will be grouped thematically. The study sought to answer the following questions:

- i. What is the present status of gender equality in Kenya?
- ii. What are the obstacles to achieving gender equality and women's empowerment?
- iii. What can be done to maximize benefits for women and men?

CHAPTER FOUR

4.0 DISCUSSIONS OF KEY RESULTS OF THE STUDY

This section discusses the findings of the baseline study based on the methodology applied to gather information. The findings of the study are summarized under the following sub headings:

4.1 Positioning of gender equality discourse in national and county development plans

4.1.1 Gender Policy as a Framework to Guide Gender Integration and Mainstreaming Process

The study noted that the country is guided by an out-dated gender policy of 2000. Since 2011, there have been attempts to review the policy. The proposed draft has gone several reviews and the 2017 draft policy version is still pending cabinet approval. The 2000 gender policy was relevant at the time it was developed and served the purpose. However, to guide public policy, policies must be relevant and appropriate. This implies that a policy must be current and provide the Government's vision and explicit commitments, while responding to both international and regional nuances. This include: the Kenya vision 2030 blue print, the new constitutional framework, Agenda 2030 on Sustainable Development Goals especially Goal 5, the Paris Agreement of Climate Change of 2015 and the Africa's Agenda 2063 among others. The study observed that national Government has been in the process of reviewing the gender policy but is yet to adopt one. Measuring progress under Goal 5, may be challenging for Kenya unless a clear path and transformative strategy is set through a national gender policy; which County Governments can use to draw specific gender policy statements to guide implementation at the sub national level.

It is evident from the study that none of the study counties had developed and adopted a gender policy as a framework to operationalize their commitment to gender equality. Overall all economic development planning at the county level as per the CIDPs -2018-2022 are guided by the MTP III-2018-2022, the Big Four Policy agenda and the SDGs targets including other government initiatives. Further that some county actors held the view that gender is not a devolved function as per schedule (iv) of the constitution.

4.1.2 Gender Equality Principle in the Constitution - Not more than Two-Third Gender Rule

The study observed that Gender Equality is recognized as a key principle in Kenya's legal and policy framework being grounded in the constitutional framework. Despite being well defined as a conceptual framework it faces numerous challenges at the implementation level, both national and county government level.

The results below demonstrate the standing on women leadership in Kenya as by 2019.

Women in leadership position in the Public sector

Table 2: Elected and nominated members in the Parliament and County Assembly by Gender

| Position | Elected | | Elected Women Rep | Nominated special Interest group | | Total | | | % representation | |
|---------------------------|---------|-------|-------------------|----------------------------------|-------|---------------|-------|------|------------------|------|
| | Men | Women | | Men | Women | Overall Total | Women | Men | Women | Men |
| President | 1 | 0 | | | | 1 | 0 | 1 | 0 | 100 |
| National Assembly | 266 | 23 | 47 | 6 | 6 | 349 | 76 | 273 | 21.7 | 78.3 |
| Senators | 44 | 3 | | 2 | 18 | 67 | 21 | 46 | 31.3 | 68.7 |
| Governors | 44 | 3 | | | | 47 | 3 | 44 | 6.4 | 93.6 |
| Deputy governors | 40 | 7 | | | | 47 | 7 | 40 | 14.9 | 85.1 |
| Speaker of the Parliament | 2 | 0 | | | | 2 | | 2 | | 100 |
| MCA's* | 1,353 | 96 | | 98 | 649 | 2196 | 745 | 1451 | 33.9 | 66.1 |

Data Source: Kenya Gazette, IEBC Website. NGECE August, 2018 and KNBS May 2019

Table 3: Key Decision Making Positions by Sex, 2013, 2017 And 2018

| Position | 2013 | | | 2017 | | | 2018 | | |
|----------------------------------|-------|-------|--------|-------|-------|--------|-------|-------|--------|
| | Total | Women | %Women | Total | Women | %Women | Total | Women | %Women |
| Cabinet secretary | 22 | 6 | 27.3 | 22 | 6 | 27.3 | 22 | 6 | 27.3 |
| Principal secretary | 26 | 7 | 26.9 | 40 | 8 | 20.0 | 40 | 8 | 20 |
| Chief Administrative secretaries | - | - | - | - | - | - | 18 | 2 | 11 |
| Supreme court judge | 7 | 2 | 28.6 | 7 | 2 | 28.6 | 7 | 2 | 28.6 |
| Court of appeal Judge | 26 | 8 | 30.8 | 22 | 7 | 31.8 | 19 | 7 | 36.8 |
| High court | 86 | 35 | 40.7 | 131 | 54 | 41.2 | 129 | 55 | 42.6 |

| | | | | | | | | | |
|------------|-----|-----|------|-----|-----|------|-----|-----|------|
| Judge | | | | | | | | | |
| Magistrate | 410 | 182 | 44.4 | 421 | 207 | 49.2 | 449 | 214 | 46.6 |

Data source: KNBS: Economic Survey Report, May 2019

Operationalization of Devolution

There is a recognition of the not more than two- third gender rule in elective positions despite the fact that the same was not met in elective positions namely National Assembly and the Senate. The principle has been achieved at the County Assembly level courtesy of Article 177 (1) (c) of the constitution. Also County Government Act however, challenges arise in realizing appointive positions and in making attempts to mainstream gender in the development agenda.

For effective operationalization of devolution, Parliament passed the following laws:

- The County Government Act 2012
- Intergovernmental Relations Act 2012
- Transition to Devolved Government Act 2012
- Urban Areas and Cities Act 2011
- Public Finance Management Act 2012
- Transition County Allocation Revenue Act 2013
- National Government Coordination Act 2013
- Transition County Appropriation Act 2013

The County Government Act 2012 provides for: inclusive governance, public participation and protection of minorities. It gives effect to Article 177(1) of the Constitution, which in essence is to ensure compliance with the two third gender rule and representation of men and women with disabilities and those from marginalized communities. (See section 7A). Nomination of members of public service to serve on county assembly service board includes one man and one woman to balance the equation of representation. The county executive members appointed by the governor and approved by the county assembly are called upon to promote gender equity and rights of minorities among other functions. The county assemblies continue to approve appointments of county executive members even when the lists presented by Governors fail to meet the two third gender rule, representative of minorities and marginalized groups and county cultural diversity. (See section 35(2)).

Table 4: The representation of county executive committee members by Gender for all the county governments as at April 2017

| REPRESENTATION OF WOMEN AND MEN AS THE MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE (CECMs) AT COUNTY | | | | | | |
|---|---------------------------|-------------------------|------------|--------------|----------------------------------|------------|
| No. | Name of the County | Total Appointive | | | % representation of CECMs | |
| | | Women | Men | Total | Women | Men |
| 1. | Mombasa | 3 | 4 | 7 | 42.9% | 57.1% |
| 2. | Kwale | 2 | 5 | 7 | 28.6% | 71.4% |
| 3. | Kilifi | 5 | 5 | 10 | 50.0% | 50.0% |
| 4. | Tana River | 2 | 5 | 7 | 28.6% | 71.4% |
| 5. | Lamu | 2 | 4 | 6 | 33.4% | 66.7% |
| 6. | Taita Taveta | 3 | 5 | 8 | 37.5% | 62.5% |
| 7. | Garissa | 3 | 7 | 10 | 30.0% | 70.0% |
| 8. | Wajir | 3 | 7 | 10 | 30.0% | 70.0% |
| 9. | Mandera | 3 | 7 | 10 | 30.0% | 70.0% |
| 10. | Marsabit | 3 | 7 | 10 | 30.0% | 70.0% |
| 11. | Isiolo | 2 | 5 | 7 | 28.6% | 71.4% |
| 12. | Meru | 4 | 6 | 10 | 40.0% | 60.0% |
| 13. | Tharaka Nithi | 2 | 5 | 7 | 28.6% | 71.4% |
| 14. | Embu | 3 | 7 | 10 | 30.0% | 70.0% |
| 15. | Kitui | 2 | 6 | 8 | 25.0% | 75.0% |
| 16. | Machakos | 5 | 4 | 9 | 55.6% | 44.4% |
| 17. | Makueni | 3 | 7 | 10 | 30.0% | 70.0% |
| 18. | Nyandarua | 3 | 7 | 10 | 30.0% | 70.0% |
| 19. | Nyeri | 4 | 5 | 9 | 44.4% | 55.5.4% |
| 20. | Kirinyaga | 4 | 6 | 10 | 40.0% | 60.0% |
| 21. | Murang'a | 2 | 7 | 9 | 22.2% | 77.8% |
| 22. | Kiambu | 3 | 6 | 9 | 33.3% | 66.7% |
| 23. | Turkana | 3 | 7 | 10 | 30.0% | 70.0% |
| 24. | West Pokot | 3 | 7 | 10 | 30.0% | 70.0% |
| 25. | Samburu | 2 | 6 | 8 | 33.3% | 66.7% |
| 26. | Trans Nzoia | 4 | 6 | 10 | 40.0% | 60.0% |
| 27. | Uasin Gishu | 4 | 6 | 10 | 40.0% | 60.0% |
| 28. | Elgeyo Marakwet | 2 | 8 | 10 | 20.0% | 80.0% |
| 29. | Nandi | 3 | 7 | 10 | 30.0% | 70.0% |
| 30. | Baringo | 3 | 7 | 10 | 30.0% | 70.0% |
| 31. | Laikipia | 2 | 3 | 5 | 40.0% | 60.0% |
| 32. | Nakuru | 3 | 6 | 9 | 33.3% | 66.7% |
| 33. | Narok | 3 | 7 | 10 | 30.0% | 70.0% |
| 34. | Kajiado | 1 | 4 | 5 | 20.0% | 80.0% |
| 35. | Kericho | 3 | 7 | 10 | 30.0% | 70.0% |
| 36. | Bomet | 2 | 7 | 9 | 22.2% | 77.8% |
| 37. | Kakamega | 2 | 9 | 11 | 18.2% | 81.8% |
| 38. | Vihiga | 3 | 7 | 10 | 30.0% | 70.0% |
| 39. | Bungoma | 3 | 7 | 10 | 30.0% | 70.0% |
| 40. | Busia | 3 | 7 | 10 | 30.0% | 70.0% |
| 41. | Siaya | 2 | 4 | 6 | 33.3% | 66.7% |

REPRESENTATION OF WOMEN AND MEN AS THE MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE (CECMs) AT COUNTY

| No. | Name of the County | Total Appointive | | | % representation of CECMs | |
|-----|--------------------|------------------|------------|------------|---------------------------|---------------|
| | | Women | Men | Total | Women | Men |
| 42. | Kisumu | 3 | 6 | 9 | 33.3% | 66.7% |
| 43. | Homa Bay | 3 | 7 | 10 | 30.0% | 70.0% |
| 44. | Migori | 5 | 5 | 10 | 50.0% | 50.0% |
| 45. | Kisii | 2 | 8 | 10 | 20.0% | 80.0% |
| 46. | Nyamira | 3 | 7 | 10 | 30.0% | 70.0% |
| 47. | Nairobi | 3 | 7 | 10 | 30.0% | 70.0% |
| | | 136 | 289 | 425 | 32.41% | 67.59% |

Source: Council of Governors

Despite the mandatory requirement of gender representation, about 25 counties failed to meet the 33% threshold of the not more than two third gender rule.

Table 5: Representation of County Chief Officers by Gender as per April 2017

At the slightly lower level, the landscape of representation by chief offices is as below:

REPRESENTATION OF WOMEN AND MEN IN THE APPOINTMENT OF CHIEF OFFICERS (COs) AT COUNTY LEVEL

| No. | Name of the County | Total Appointive | | | % representation of COs | |
|-----|--------------------|------------------|-----|-------|-------------------------|-------|
| | | Women | Men | Total | Women | Men |
| 1. | Mombasa | 9 | 8 | 17 | 52.9% | 47.1% |
| 2. | Kwale | 2 | 6 | 8 | 25.0% | 75.0% |
| 3. | Kilifi | 4 | 8 | 12 | 33.3% | 66.6% |
| 4. | Tana River | 2 | 2 | 4 | 50.0% | 50.0% |
| 5. | Lamu | 2 | 6 | 8 | 25.0% | 75.0% |
| 6. | Taita Taveta | 5 | 5 | 10 | 50.0% | 50.0% |
| 7. | Garissa | 4 | 21 | 25 | 16.0% | 84.0% |
| 8. | Wajir | 4 | 21 | 25 | 16.0% | 84.0% |
| 9. | Mandera | 1 | 7 | 8 | 12.5% | 87.5% |
| 10. | Marsabit | 6 | 10 | 16 | 37.5% | 62.5% |
| 11. | Isiolo | 9 | 7 | 16 | 56.2% | 43.7% |
| 12. | Meru | 5 | 12 | 17 | 29.4% | 70.5% |
| 13. | Tharaka Nithi | 5 | 8 | 13 | 38.4% | 61.5% |
| 14. | Embu | 6 | 11 | 18 | 33.3% | 68.7% |
| 15. | Kitui | 3 | 11 | 14 | 21.4% | 78.5% |
| 16. | Machakos | 6 | 10 | 16 | 37.5% | 62.5% |
| 17. | Makueni | 5 | 9 | 14 | 35.7% | 64.3% |
| 18. | Nyandarua | 2 | 8 | 10 | 20.0% | 80.0% |
| 19. | Nyeri | 3 | 3 | 6 | 50.0% | 50.0% |
| 20. | Kirinyaga | 2 | 8 | 10 | 20.0% | 80.0% |
| 21. | Murang'a | 0 | 10 | 10 | 00.0% | 100% |
| 22. | Kiambu | 4 | 7 | 11 | 36.4% | 63.6% |

**REPRESENTATION OF WOMEN AND MEN
IN THE APPOINTMENT OF CHIEF OFFICERS (COs) AT COUNTY LEVEL**

| No. | Name of the County | Total Appointive | | | % representation of COs | |
|-----|--------------------|------------------|------------|------------|-------------------------|--------------|
| | | Women | Men | Total | Women | Men |
| 23. | Turkana | 4 | 10 | 14 | 28.6% | 71.4% |
| 24. | West Pokot | 4 | 15 | 19 | 21.1% | 78.9% |
| 25. | Samburu | 4 | 10 | 14 | 28.6% | 71.4% |
| 26. | Trans Nzoia | 0 | 0 | 0 | 00.0% | 00.0% |
| 27. | Uasin Gishu | 3 | 9 | 12 | 25.0% | 75.0% |
| 28. | Elgeyo Marakwet | 2 | 6 | 8 | 25.0% | 75.0% |
| 29. | Nandi | 6 | 12 | 18 | 33.3% | 66.7% |
| 30. | Baringo | 0 | 0 | 0 | 00% | 00.0% |
| 31. | Laikipia | 0 | 0 | 0 | 00% | 00.0% |
| 32. | Nakuru | 2 | 7 | 9 | 22.2% | 77.8% |
| 33. | Narok | 0 | 0 | 0 | 00% | 00.0% |
| 34. | Kajiado | 4 | 11 | 15 | 26.6% | 73.3% |
| 35. | Kericho | 4 | 9 | 13 | 30.7% | 69.2% |
| 36. | Bomet | 4 | 10 | 14 | 28.5% | 71.4% |
| 37. | Kakamega | 4 | 11 | 15 | 26.6% | 73.3% |
| 38. | Vihiga | 3 | 6 | 9 | 33.3% | 66.6% |
| 39. | Bungoma | 2 | 4 | 6 | 33.3% | 66.6% |
| 40. | Busia | 5 | 11 | 16 | 31.25% | 68.7% |
| 41. | Siaya | 2 | 2 | 10 | 20.0% | 80.0% |
| 42. | Kisumu | 4 | 8 | 12 | 33.3% | 66.6% |
| 43. | Homa Bay | 3 | 7 | 10 | 30.0% | 70.0% |
| 44. | Migori | 2 | 7 | 9 | 22.2% | 77.7% |
| 45. | Kisii | 7 | 9 | 16 | 43.7% | 56.2% |
| 46. | Nyamira | 2 | 8 | 10 | 20.0% | 80.0% |
| 47. | Nairobi | 0 | 0 | 0 | 0 | 0% |
| | TOTAL | 1.2 | 6.5 | 6.5 | 24.3% | 67.7% |

Source Council of Governors:

The finding here points to more than half the county appointments not respecting the gender rule.

The SDG Coordination at the National Level

The SDG Coordination Department (SDGD) at the national level has recognized gender mainstreaming as an important process and has identified the State Department of Gender to spearhead the planning implementation and monitoring and evaluation. To this end the State department of gender has facilitated training of 98 County Planning Officers as a means of engendering County Integrated Development Plans (CIDPs) . However the CECs responsible for gender in counties did not seem aware of the training of the planning officers. Further the study noted that majority of actors at the national level were aware of the SDG commitments specifically Goal 5 on achieving gender equality and empowerment of women and girls. However the actors at the county level had little knowledge on SDGs and the implementation framework adopted by Kenya.

The second county governments took office in 2017 after the general election and have been in office for a period of about one year. The CIDP template had been designed and used previously to guide the 47 County Governments on their priority areas of interventions. County governments are expected to define their priority, indicate how their priority links to the MTP III, Vision 2030 and SDGs. The desk review complimented with the visits in three county governments namely Kilifi, Bomet and Kisumu, showed that County Governments officials responsible for gender are struggling firstly to understand the SDGs specifically Goal 5 and its target and indicators; and secondly how to link the SDGs to county operational plans as per their CIDPs.

4.1.3 Integrating gender into the CIDPs

Table 9: Mapping Counties and Gender Integration Responsiveness in CIDPs

| County | Is Gender integrated in CIDP | Linkage to SDG 5 | Existing Gender machinery | Is Budget allocated to Gender Machinery | Partnership with CSOs |
|------------------|---|---|---|---|--|
| 1. Bomet | Yes, identifies gender mainstreaming and gender equality as strategies in the planning and implementation process. Links it to the Governors Manifesto that has pillar 6-Economic empowerment of women, youth and PWDs | Has identified Goal 5 among the SDGs prioritized. The goal will be achieved through coordination of other sectors and development partners to enhance its implementation through strong partnerships and resource allocation. | Ministry of Youth, Gender, Sports and Culture | No clear Budget allocated to Gender Mainstreaming | Desires to grow its partners with a hope that they can help finance the planned interventions. |
| 2. Kitui | A clear pillar on women empowerment and support youth and education and PWDs | Goal 5 identified as a key area of intervention through women empowerment programming | Ministry of Youth Sports, Gender and social services | No Programming budget allocated | Non State actors are identified, recognized & seek to have more collaboration |
| 3, Kilifi | | | Ministry of Gender, Social Services, Culture and Sports | | |

| | | | | | |
|-------------------|--|--|---|--|---|
| 4. Kisumu | No. Mention in Social Pillar linking it to Vision 2030 | SDG 5 not identified among priority Goals linked to county mandate | Gender department under ministry of Education with an Acting Head of the Unit | Budget to the department is for the Women Social Protection Programme used by the Governor. No resources allocated for programmes | Yes the CIDP welcomes partnerships including CSOs. |
| 5. Nakuru | | Identify Goal 5 among other SDGs prioritized. Linked SDG5 to the Programme of Culture and Social development | Ministry of Youth, Sports and Culture | No allocated budget save for empowerment revolving funds i.e. Safety net programmes and cash transfers | Welcomes CSOs as partners and banks on meaningful engagement with stakeholders as a fundraising strategy. |
| 6. Kajiado | Yes has prioritized programmes focusing on Gender and Goal 5 without making the linkage. For example they will sensitise communities on FGM, and early marriage, and create awareness on dangers of GBV. Programmes will empower women and support them through Women Empowerment Fund | No direct linkage to Goal 5 | Ministry of Youth, Sports and Culture | Available budget allocated is for the women revolving fund and not be programmatic intervention | Yes welcomes partnerships |
| 7. Nairobi | Yes Notes that gender inequality affects access to and control of | Did not identify Goal 5 of SDGs as priority area of intervention | Ministry of Education, Youth, Gender, Sports, | No clear budget allocated to the Ministry for Gender integration/main | Yes open to partnerships with CSOs |

| | | | | | |
|--|---|--|-----------------------------|-----------|--|
| | resources, identifies low participation of women in politics, decries increased Violence against women and plans to enhance women access to financial resources | | Culture and Social Services | streaming | |
|--|---|--|-----------------------------|-----------|--|

The county government of **Kisumu** and **Nairobi** did not identify Goal 5 as one of their priority indicators for purposes of mainstreaming gender in their development agenda. However the county identified gender responsive interventions whose implementation would lead to some of the targets set out in Goal 5. For example Nairobi County noted gender inequality as a barrier to development and will invest in enhancing capacity for women to access resources. The county will also address issues of GBV and seek to increase levels of women in decision- making positions. A ministry responsible for gender alongside with other services i.e. education, youth, sports and culture has been identified in the county.

Kisumu County does not mention gender equality or empowerment of women and girls in the CIDP. The directorate of gender is in the larger department under the ministry of education. Further still, Kisumu did not identify Goal 5 among the 7 indicators they selected to work on in respect to linkages with SDGs. This is a clear indication of either omission or not being gender responsive in their development agenda. The department of gender is active working with partners but has no internal support in terms of policy guidance, or resources to effectively plan for interventions on Goal 5 of the SDGs.

4.1.4 Allocation of Specific Programme Budgets to the Ministries Responsible for Gender Equality

None of the County Governments under assessment has allocated any resources towards Gender integration programming. Thus most programmes on gender mainstreaming are with support of development partners. The national government and county government have supported women empowerment projects through the special finds i.e. Women Enterprise Fund, Youth Enterprise Fund and Uwezo(Ability) Fund among others. The general conclusion is that for county governments, budgeting for gender integration is not a priority. However Gender Responsible Budgeting is a subject of another assessment to be undertaken by the Forum.

4.1.5 Respect of Constitution Gender Quotas in Appointive Positions

The Gender Responsiveness at the County Levels has not translated into applying the –not more than two third gender rule in appointive positions. The sampled counties failed to comply with the gender principle in the appointive positions. At the levels of County Executive Membership and Chief Officers, the counties did not meet the constitutional threshold. Further People with Disabilities (PWDs) were not appointed as well despite the constitutional requirement of at least 5 % of public office’s appointive to be reserved for PWDs. The Counties also failed to appoint youth in the senior positions.

4.1.6 Unavailable Gender Data/Statistics

Save for Health and Education, generally, county governments have very poor statistical records especially in the social sectors. Data available was not documented and was also not disaggregated by sex, age, and disability, geographical among other social dimensions. The challenging aspect is absence of age specific data across all counties. It was not possible to establish the baseline entry for the “Strengthening the SDGs Kenya Forum as an Accountability Platform for Gender and Development” Programme. Thus the fall back positions will be to use the Kenya National Bureau of Statistics (KNBS) (and any other official sources) as per 2018 or as available based on the reporting cycles.

4.1.7 Programming on Sexual Reproductive Health and Rights

The Kenya National Bureau of Statistics through its Kenya Demographic and Health Survey has continuously updated the status in health with clear indicators for measurements. The 2014³⁷ survey did indicate that there is a decline in fertility rate that has narrowed from 1.3 children in 2003 to 1.0 in 2014. 58% of married women use contraceptive with the leading method of use being injectable-(26%) with 60% of contraceptives available in government facilities. 18% of married women have unmet need for family planning. 96% of women with a live birth in 5 years preceding the survey received antenatal care from a skilled provide an improvement from 92 % in 2009. Other health issues whose status is discussed include HIV and AIDS, Gender Based Violence that include violence on children below 15 years, violence from sexual or intimate partners and female genital mutilation among others.

Maternal mortality in 2014 was 362 per 100,000 live births. Previously in 2009, it was 520 per 100,000 live births. Though recording a slight drop, the conclusion is that it is not significant to conclude if there has been change. A further analysis undertaken by the National Council for Population and Development based on 2014 Kenya Demographic Health Survey focusing on women and girls concluded that the existence of statically differences in age at first sex among young women aged 15-24 was due to level of education, religious affiliations, household wealth and exposure to mass media was a clear indication that factors that influence sexual initiation.³⁸ The study suggested that there is need to initiate and or strengthen interventions that will keep young women longer in schools.

While programming in the SRHR, key consideration should be given to the progress made so far. Kenya has adopted special measures to guarantee reproductive health services. These include (i) the Beyond Zero campaign by the office of the first lady, an initiative in HIV control and promotion of maternal, new born and child health in Kenya. (ii) In June 2013, the government introduced free maternity services in public facilities and committed Kshs. 3.8 billion to fund it with additional Kshs. 700 million for free access to health centres and dispensaries, Kshs. 3.1 billion for recruitment of 30 community nurses per constituency and 1.2 billion for provision of housing units to health care workers.³⁹ (iii) There is the Sanitary towels programme for girls in poor marginalized communities. (iv) There is a GBV Hotline 1195 and referral mechanism; the Toll Free Short code was allocated to Health care Assistance Kenya by Communication Authority of Kenya. It enhances support for survivors of rape and defilement, FGM and physical assault.⁴⁰ The Prohibition of Female Genital Mutilation Act 2011 was preceded with the Abandonment

³⁷ The Kenya Demographic and Health Survey 2014 available at www.knbs.go.ke

³⁸ A further analysis of the 2014 Kenya Demographic and Health Survey in a series of working papers available at www.ncpd.go.ke

³⁹ See the Kenya 8th Periodic CEADW Report presented to the treaty boy available at www.ohchr.org

⁴⁰ Ibid 33

4.2 Coordination Mechanisms for the implementation of SDGs in Kenya

Kenya has drawn its implementation framework from the lessons learnt in successful implementation of the MDGs. National consultations undertaken gave rise to the Kenya National Common Position paper on the post 2015 Agenda.⁴¹ This position paper got integrated into the regional paper presented prior to the adoption of the SDGs. Kenya notes that the lessons learnt from MDGs pointed to the fact that for SDGs to succeed, it requires to depend on strong local action and leadership embedded in a coordinated and effective multi-level governance system. The Kenya's Road Map to guide implementation of SDGs therefore provides a programmatic guide for all development stakeholders for the next three years.⁴²

Kenya's SDG's National Framework (as published by KNBS) indicates that the government will be actively monitoring the following Goal 5 Indicators:

Table 9: Kenya's Commitment to Sustainable Development Goals -Goal 5: Achieve gender equality and empower all women and girls by 2030 indicators

| Targets | Indicators | Kenyan's Commitment and comments |
|--|--|---|
| 5.1. End all forms of discrimination against all women and girls everywhere | Indicator 5.1.1: Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex | Yes The constitution and other enabling laws and policies |
| 5.2. Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation | Indicator 5.2.1: Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age Indicator 5.2.2: Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence | Yes to 5.2.1 Yes 5.2.2 |
| 5.3. Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation | Indicator 5.3.1: Proportion of women aged 20–24 years who were married or in a union before age 15 and before age 18 Indicator 5.3.2: Proportion of girls and women aged 15-49 years who have undergone female genital mutilation/cutting, by age | Yes 5.3.1 Yes 5.3.2 |
| 5.4 Recognize and value unpaid care and domestic work through the provision of public | Indicator 5.4.1: Proportion of time spent on unpaid domestic and care work, by sex, age and location | Yes 5.4.1 |

⁴¹ See the Ministry of Devolution and Planning June 2017 Report to the UN on the Implementation of the Agenda 2030 for sustainable Development in Kenya available at <https://sustainabledevelopmentn.un.org/content/doc>

⁴² See the Ministry of Devolution and Planning June 2017 Report to the UN on the Implementation of the Agenda 2030 for sustainable Development in Kenya available at <https://sustainabledevelopmentn.un.org/content/doc>

| Targets | Indicators | Kenyan's Commitment and comments |
|---|---|---|
| services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate | | |
| 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life | <p>Indicator 5.5.1: Proportion of seats held by women in national parliaments and local governments</p> <p>Indicator 5.5.2: Proportion of women in managerial positions</p> | <p>Yes 5.5.1</p> <p>Yes 5.5.2</p> |
| 5.6. Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Program of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences | <p>Indicator 5.6.1: Proportion of women aged 15–49 years who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care</p> <p>Indicator 5.6.2: Number of countries with laws and regulations that guarantee full and equal access to women and men aged 15 years and older to sexual and reproductive health care, information and education</p> | <p>Yes 5.6.1</p> <p>Yes 5.6.2</p> |
| 5.A Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws | <p>Indicator 5.a.1: (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure</p> <p>Indicator 5.a.2: Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control</p> | <p>No</p> <p>Yes 5.a.2</p> |
| 5.B Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women | <p>Indicator 5.b.1: Proportion of individuals who own a mobile telephone, by sex</p> | <p>Yes 5.b.1</p> |

| Targets | Indicators | Kenyan's Commitment and comments |
|---|---|----------------------------------|
| 5.C Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels | Indicator 5.C.1: Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment | 5.c.1 |

The non-availability of most data required is an indication that of Kenya not investing in gender and sex disaggregated data despite the fact that a lot has gone into achieving gender equality and empowering women and girls. KNBS working with the Ministry responsible for gender and the National Gender and Equality Commission have previously produced gender datasheet to guide policy formulation and planning. For example, the Status of women report 2015 is a good source to find some of the missing data.⁴³ As reported the Gender Directorate is working on a vigorous programme to build the capacity of statistical, planning and gender officers at national and county level to enhance collection, collation and analysis of sex disaggregated data and tracking of budgetary allocation towards women empowerment endeavours including women enterprises.

In its coordination, embracing the principle of leaving no one behind, Kenya is committed to continue to build a just, cohesive and peaceful society and recognize the need for equality and equity within and without. Kenya is set to delocalize the SDGs and with engagement of stakeholders has done the following:

- Mapping the SDGs with vision 2030 and MDGs End Term Report.
- Setting up institutional framework.
- Capacity building, advocacy and awareness creation.
- Mainstreaming SDGs in policy and planning including the performance contracts Plans of Ministries, Departments and agencies.
- Indicator Mapping among others.
- Setting out the baseline data for most of the indicators to be between 2009 and 2014, depending on frequency of data collection. However notable challenges are seen in the inadequate baseline data for some of the indicators to measure progress of implementation of the SDGs.

At the national level, the SDGs Coordination Department within the Ministry of National Treasury and Planning in the State department for planning is the focal point for implementation. The projects and programs Co-ordination Directorate is responsible for overseeing implementation of SDGs.

The Directorate is responsible for:

- Mainstreaming the SDGs in policy, planning and budgeting at the national and county levels of government.

⁴³ See www.knbs.go.ke

- Tracking and reporting on progress of the SDGs implementation within the existing frameworks of monitoring and evaluation.
- Capacity Building targeting those charged with responsibilities at both levels of government.
- Coordination, implementation, monitoring and evaluation and building statistical capacities
- Spearheading preparation of country progress reports and position papers as required at the domestic, regional and international levels.
- Spearheading advocacy and awareness creation on the SDGs.

The Inter-Agency Technical Committee (IATC) drawn from Key government ministries, Departments, Agencies, CSOs and private sector, supports the implementing of the above functions.

To effectively engage, the SDG Coordinating office when preparing the first Voluntary National Report (VNR) requested the stakeholders to engage through their umbrella bodies. Thus Kenya Private Sector Alliance (KEPSA) for Private Sector, SDGs Kenya Forum for CSOs and Council of Governors (CoG), National Youth Council and Association of Persons Living with Disability had thematic consultations and filed their reports.

The Monitoring and Evaluation Directorate under the Ministry of Treasury and Planning is responsible for coordination of National integrated monitoring and Evaluation (NIMES) at both national and county levels. The county government has the County Integrated Evaluation System (CIMES) framework. The reporting on SDGs should be captured through the NIMES and CIMES. The Economic Development Coordination department developed guidelines for CIDPs and Annual Development Plans (ADPs) in 2017. County governments are expected to include plans of mainstreaming SDGs in the two plans.

The implementation framework for purposes of the devolved functions revealed that, the Summit is co-chaired by the President and Chair of Council of Governors and attended by all Governors. The Inter-Ministerial Forum and Intergovernmental Sector Forums provide critical linkages with the sub national Governments. The Sub national Governments have been facilitated to establish within the Secretariat of the Council of Governors a SDGs Liaison Office, which seeks to work closely with the 47 sub national Governments and the SDGs Coordination Department.

The Coordinating body acknowledged in its VNR report submitted to UN in HLPF in 2017 that there was inadequate capacity for SDGs implementation and that they lack clear modalities to engage the large number of Stakeholders in the process.

Towards realization of ***Goal 5-Achieve Gender Equality and empower all Women and Girls***, it was established that the country will rely on four actors namely the State Department of Gender under the orgies of the Ministry of Public Service, Youth and Gender at the national level; the National Gender and Equality Commission with a nationwide accountability mandate that operates at the national and county Government levels; the Kenya National Bureau of Statistics that operates nationally and collects data and provides gender disaggregated data, such as the gender data sheet to guide policy formulation and planning and lately the publication dubbed ‘Women and Men in Kenya-Facts and Figures’ released for the first time in 2017 with assistance of the National Gender and Equality Commission and

the State Department of Basic Education; and at the County Level the Ministries and departments responsible for Gender .

At the County Government, the coordination of SDGs implementation is unclear and not well coordinated. An officer from the Council of Governors represents the interest of the Council and is a member of the Inter agency technical Committee. The intention was to roll out the national level structure to the county level. To that end, with support of development partners the County Planning officers were appointed as champions of SDGs in every county and they have been trained. The County Planning Officers were to be facilitated to establish an inter-agency level committee that would bring together all county stakeholders, including CSOs and FBOs and private sector as part of the committee. Every County will nominate officers to serve on the technical group. The SDG coordinator at the CoG indicated that four counties namely Wajir, Turkana, Baringo and Kilifi have operationalized the implementation structure for SDG implementation. However the CEC gender in Kilifi was not aware of the SDG champion appointed and trained.

We make the conclusion that while the intention is good to have SDG champions, it will not serve the purpose if the thematic considerations are not represented or participate. The planner might for example serve very well on other development agendas but will have very little knowledge of gender as a development issue. The engagement process on SDGs at the county require more critical thinking by development specialists to establish the entry points for officers responsible for gender among other inclusivity issues.

The county SDG coordination institutional arrangement is unclear and cannot be ascertained till the accountability mechanism is reviewed for clarity and identification of actors responsible.

4.2.1 Gender Responsive Reporting and Coordination

There is a perfect and tested coordination system established at the National level headed by the SDG coordination Unit under the Ministry of Treasury and Planning that is spearheading the implementation process of the SDGs. The Inter Agency Technical committee established brings together all the right partners required to plan for implementation of the SDGs. The KNBS is well trained to develop and report on gender responsive planning and implementation. The KNBS has through a participatory process developed a set of minimum indicators in Goal 5 corresponding to the surveys they have undertaken in the past on the indicators provided

The State Department of Gender has been assigned the responsibility of ensuring integration of gender equality and empowerment of women and girls in line with Goal 5. In CEDAW reporting in 2017,⁴⁴ the Cabinet Secretary outlined the plans they have put in place to ensure SDGs are mainstreamed in the government planning and implementation process. The State Department of Gender has institutionalized the SDGs through the adoption of a cabinet Memorandum that directs all Government Ministries, Departments and Agencies to mainstream goals in all policy, planning and budgeting processes. Ultimately that is expected to ensure no one is left behind. Further Kenya has taken survey to establish the extent to which the SDGs converge with Kenya's Vision 2010 development Blue Print implemented within five-year medium term plans. She also alluded to the new gender policy draft pending

⁴⁴ Statement by Cabinet Secretary Sicily Kariuki of Ministry of Public Service, Youth and Gender Affairs on the occasion of consideration of the 8th Kenya State Report on 2nd November 2017 available at www.tbinternet.ohchr.org

cabinet approval that seeks to guide governments' implementation process with a gender lens. The new gender policy she indicated is premised on the principles of equality and non-discrimination, recognition of differences and inequalities among men and women, respect for human rights, inseparability of public and private spheres of life, equity and substantive equality, inter-sectionality and multiple forms of discrimination, consultation and cooperation, participation and accountability.

There are positive steps already taken by the State Department of Gender towards making progress toward realizing Goal 5. They have taken crucial steps to mainstream gender into National Development. These include:

- Inclusion of gender mainstreaming in performance contracting process in all Government Agencies to strengthen accountability.
- Capacity building on gender statistics for statistical officer, planning officers and gender officers both at national and county levels to enhance collection, collation and analysis of sex disaggregated data.
- Investing in laws that promote gender equality including and not limited to the National Gender Equality Act 2011, Matrimonial Act, 2013, Marriage Act, 2014, Protection from Domestic Violence Act 2015, Land Act 2012, Counter Trafficking Act No.8 of 2010, Prohibition of Female Genital Mutilation Act 2011, Amendment of the Sexual Offences Act 2006, Kenya citizen's Act 2012, Kenya National Commission on Human Rights Act 2012 and Fair Administrative Action Act 2015.
- Continued to strengthen the Affirmative Action Funds thus the Women Enterprise Fund, UWEZO (Ability) Fund, Youth Development Fund as well as Access to Government Procurement Opportunities (AGPO). In Partnership with UN agencies, the Government has prioritized four initiatives, which are efforts to accelerate efforts to prevent Gender Based Violence, strengthen protection of Gender Based Violence survivors, ensure expeditious prosecution of GBV cases and establish strong implementing programmes in partnership and through non-state actors.
- Recruitment and posting of gender officers to the devolved structures.

4.3 Financing implementation of SDGs in Kenya

The budget priorities for each successive year are informed by the County's development agenda, the County Integrated Development Plan (CIDP). If interventions are not prioritized, they do not easily get to be budget for. The UNDP and UN Women have supported County governments by developing the County Integrated Development Plan Gender Mainstreaming Guidance Note. This is supposed to be used to guide gender mainstreaming for planning and budgeting processes at the County level. In order to mainstream gender responsive budgeting, the National Treasury of Kenya has reviewed the Standard Chart of Accounts to include specific coding on Gender Equality and Women's Empowerment (GEWE). This is supposed to enable tracking and reporting in budgets.

4.3.1 Bomet County commitments

The Bomet County 2018- 2022 CIDP shows that legislation exists to align its programmes with national development policies. However, engagement with the county officers responsible for gender revealed that budgetary allocations toward promoting gender equality face many challenges as the legislators in the County Assembly do not attach greater importance to matters gender and gender mainstreaming.

Further still, there is lack of meaningful public participation in budgets since proposals by the members of public that is included in the proposed budget estimates are removed and changed when tabled before the County Assembly. MCAs are said to change the budgetary proposals without consulting the CECs or the Governor.

Bomet has put in place Gender and Children Services and Social protection programme to implement the gender equality and women empowerment programmes but with no clear budget for implementation. It was observed that the Ministry responsible for gender is the least funded with more importance laid on infrastructure development. In the budgetary allocations for 2019, Gender and disability programme was allocated Ksh. 14.7 million, social protection Ksh. 19.3 million and culture Ksh. 8.0 million. There is no budget for any meaningful engagement even for building staff capacity to understand what gender is and why it has to be mainstreamed.

4.3.2 Kilifi County Commitments

Though Kilifi County CIDP structures up-to the sub-counties have measures in place to achieve equity, the baseline study noted that the budget does not have allocation for implementing. While due considerations were made in the executive budgeting committee, it was concluded that it is too early in the programming of the new county administration to engender the budget. The executive members requested to be facilitated to understand Gender Responsive Budgeting and how it can be incorporated in the CIDP. There is limited budget set aside for gender specific programming on Kilifi County. For example during the 2018/2019 budget the Gender Department was allocated Kshs.262 million, out of which Kshs.100 million was allocated for development projects for the youth (sports), Kshs. 83 million for the recurrent budget and the balance of about Kshs. 80 million is expected to be distributed to five different sections (children, women empowerment, youth, sports, persons with disability) for programming. This is a non-starter budget for any serious programming at the county level. The CEC responsible for gender noted the importance of mainstreaming SDG 5 in gender operations but cited limitation in resources with zero budget allocated for capacity building.

4.3.3 Kisumu County Commitments

The Kisumu CIDP II 2018-2022, like other CIDPs is anchored on the Kenya Vision 2030, The Medium Plan III, The SDGs and the Big Four Agenda, and is linked to the governor's manifesto. However, it failed to prioritize gender and goal 5, and did not appreciate gender issues facing the County in their priority areas. In the last budget 2018/2019, the larger ministry where the gender department falls, youth, women and Persons with Disabilities (PWDs) was allocated 100million Shillings. Only Kshs. 2 million was allocated to gender equality Department. The Governor called for the same and used it on an ad hoc programme of rewarding the top KCPE boys and girls in all the sub-counties. In essence the gender department has zero funds for programming. The gender department therefore, lacks funds to make any attempts to understand SDG 5 and how it can be mainstreamed in the county development agenda. The acting head of the department is open and willing to engage with any partners towards gender responsive programming in the county. The entry point for any engagement will involve working with the top leadership of the county to make them appreciate why gender matters in development and why SDG 5 should be one of the key considerations in their proposed progressive agenda of transforming Kisumu County.

4.3.4 Kitui County Commitments

Kitui aims to achieve goal 5 by promoting values and principles of governance as provided in articles 10 and 232 of the Constitution. It aims to put in place a policy on gender issues within the workforce. Kitui proposed to achieve the goal within the first year of the 2018 - 2022 CIDP. As of April 2019, this is yet to be actualized. The county proposed to develop sexual gender based violence programmes. This was inspired by the high rates of unreported SGBV cases in the county. The county has prioritized:

- Gender empowerment programs
- Creation of awareness on SGBV and available helplines/shelters
- Empower children on their rights
- Linkage of SGBV survivors to health and legal services
- Implement the Gender Mainstreaming policy guidelines for the workplace

The proposed activities are to build 2 rescue centers for victims of gender-based violence in the County and to increase the percentage of gender-based violence reported cases from 10% to 90% in 5 years.

Towards gender mainstreaming, Kitui proposes to enhance participation of women in development and decision making processes. From the CIDP, there are budgetary allocations to achieve the set goals. However it is not clear if this has been actualized.

4.3.5 Nakuru County Commitments

The County has envisioned establishing business incubation centres in four sub-counties with the partnership of the private sector so as to train and mentor youth and women with innovative business ideas. Further the county will issue SME loans to spur growth of the SMEs. There is therefore need to boost youth and women enterprise development funds that have contributed to the empowerment of these groups.

The County Government equally will continue to seek collaborations with existing development partners, civil society organizations, and relevant National Government institutions among others to further mainstream SDGs during this plan's implementation period. The County has set forth social protection strategy goals to promote gender equality and empowerment of women and girls and enhance inclusion and participation of youths and Persons with Disabilities in socio-economic development as set forth below in order to attain its targets by 2022.

4.3.6 Kajiado Commitments

Kajiado has prioritized programmes on Goal 5 but without making any specific linkages to the goal. It proposes to sensitize communities on FGM, early marriage and create awareness on dangers of GBV. Programmes are desired to empower women. It identified gender inequality with men having access and control of resources and there were increased incidences of gender

4.3.7 Gender Analysis of the 6 County Government Commitments

All the counties do not readily understand the concept of gender and gender mainstreaming and even though out of scope for this study; Gender Responsive Budgeting. Analysing from

the desktop review the study observes that the Executive arm of the County government and the legislative arm seem not to read from the same page. The two appear to focus on major infrastructure projects and have no regard for gender concerns (and other social sectors) in their programming. While the National Government is committed to the SDG agenda on the 17 Goals, the Budgets at the County government do not reflect the required prioritization. All ministries responsible for gender receive the least amount of budget. This is because the national Government and the County Governments have not adopted a Gender Responsive Budgeting and have not understood the importance of gender mainstreaming in development agenda. It will be important to have capacity building programmes to introduce mainstreaming SDG 5 into the County Budgeting Process.

4.4 The space for Non- State Actors and Private Actors in the Implementation of SDG5 in Kenya

4.4.1 Counties welcome CSOs Engagement and Support

All Counties have indicated in their CIDPs the need for participatory involvement and engagement of all stakeholders especially the CSOs and private actors. The Kenya’s constitutional framework provides for the rights to participate and the inclusivity of all vulnerable and marginalized communities in an accountability framework.⁴⁵ Sampled counties in their discussion with the team indicated their willingness to work with various partners based on their prioritized intervention as in the CIDP that gives them the strategic direction of engagement. They all are willing to be supported to work on SDG 5.

4.4.2 Need to go beyond Goal 5 in monitoring gender responsiveness to SDG 5

The Gender Equality agenda within the SDGs is not only embedded in SDG 5. Gender is a cross cutting issue in other SDGs s. For example, SDG 1 on poverty cannot be achieved without addressing gender inequalities and the rights of women and girls. Poverty has been feminized in Kenya. Goal 3 provides for quality healthy lives; again this cannot be addressed without looking at the gendered roles in health care including reproductive health and rights. A review of the other 16 SDGs notes the number of gender related indicators.

| SDG s | Total Indicators | Gender related indicators |
|--------------|-------------------------|----------------------------------|
| 3 | 26 | 6 |
| 8 | 17 | 7 |
| 10 | 11 | 1 |
| 11 | 15 | 3 |
| 13 | 7 | 1 |
| 16 | 23 | 16 |

The table has been drawn from review of indicators that refer to sex, gender, women, girls or largely targeting women and girls.

⁴⁵ See Article 10 of the Kenya Constitution 2010

4.4.3 Counties have varied structures of Engagement

The Bomet County Government for example is determined to provide easy access to donors to provide support to the various programmes and activities that promote SDG 5 implementation in the County. Every sub county therefore has a Community development assistant who coordinates these activities. For further accountability and monitoring of project progress, the County representative convenes a monthly meeting where all the CSO's are represented to report on progress.

The Ministry responsible for Gender in Kilifi County does not have a strategic framework for engagement, but it works well with most CSOs on matters concerning gender. Two Community Based Organizations (CBOs) were interviewed during the visit. These were Community Health Workers, a CBO dealing with orphans and vulnerable children (children living with HIV/AIDS), and caters for 1,039 children, out of which 89 are orphan children living with HIV/AIDS; and Mama Mashinani which deals with women empowerment, planning, education and housing for women. The representatives affirmed that the County Government leadership works well at the grassroots levels through various CSOs.

The gender department in Kisumu County has greatly partnered with other Organizations and institutions of like mind and normally hold gender round tables monthly meetings where progress is reported on gender mainstreaming by different actors. It was noted that there has only been a mention of SDG 5 in one of the meetings but the county is happy to welcome any CSOs working with them on SDGs Goal 5

4.5 Measuring progress towards realization of SDG 5

4.5.1 Building Capacity to Generate Gender Responsive Data

According to UN Women in Kenya, addressing unfinished business such as in the MDGs and the entire process of monitoring frameworks and data collection is still a priority when considering data around SDG 5. The UN community supports the government of Kenya in supporting and building the capacities of the national statistics offices in the monitoring, collection, management and the utilisation of data. UN Women are utilising the "leave no one behind" framework for accountability, provided by the SDGs to hold government to task. In monitoring progress on SDG 5 in Kenya, the focus areas for key gender stakeholders include; women rights, FGM, GBV, sex trafficking, civic education, women's economic empowerment, youth, Sexual reproductive health rights (SRHR), gender rights, environment, children's rights, peace and conflict, maternal health, STD's, HIV, early pregnancy, abortion, gender tracking, women's leadership, advocacy and health.

4.5.2 Gender Statistics must be captured and presented for planning by policy makers

The KNBS has benefited immensely from capacity building programmes by the UN Women, and the National Gender and Equality Commission through the direct support of the Finnish Government. To this end they are able to release the gender sheet, and in 2017 published a booklet 'Women and Men in Kenya'⁴⁶ that provides facts and figures on the status of women and men in Kenya. The booklet represents indicators focusing on population, health, education, employment, governance, domestic violence, decision-making and persons with disabilities. The indicators herein reflect and match very well with the targets and indicators in SDG 5.

⁴⁶ Ibid available at www.knbs.or.ke

4.5.3 County Governments have limited Capacity to generate and present gender responsive statistics

The County Government level has limited capacity (staff and resources) for their statisticians or monitoring and evaluation officers to understand the concept of gender and gender mainstreaming and how to disaggregate the available data by sex, age, disability geographically among other social factors. Counties reported not having sex disaggregated data due to capacity challenges. It may be necessary to work with the KNBS to build the capacity of county officers (including county assembly and even CSOs) responsible to monitoring and evaluation to learn the art of capturing and interpreting and presenting gender responsive data.

Gender has been entrenched by the Constitution of Kenya 2010. It is important that capacities are developed and resources allocated to enable a more active performance reporting and monitoring for this sector. The State Department of Gender Affairs has reported progress in capacity building of the national and county governments planning, statistician and gender officers to improve the knowledge base.

4.6 Maintaining the momentum: Gaps and Opportunities

4.6.1 Gender mainstreaming must be acknowledged from the top

The SDG Kenya Forum is already a recognized structure under the Kenya SDG coordination mechanism at the national level. It should use that national platform to ensure that implementation of Goal 5 is given similar status of implementation as a developmental issue at the county level. It is necessary to be more vigil because programmers most often wish to relegate gender issues as less important. There is need for the forum to plan to build the capacity of the technical teams on gender mainstreaming in SDGS and why gender matters. This will get a buy in from the top that will trickle down the county level. Likewise the Forum members at every county need to improve their networking and engagement with both the national level officers at the regions and the county level officers. The implementing partners need to identify working groups within the counties to engage with. For example Nairobi and Kisumu reported having Gender Technical Working Groups as loose networks that bring most actors on gender together once a month to deliberate on progress made.

4.6.2 Gender Indicators must be domesticated and adopted the national and county levels

During the first voluntary review of Kenya's performance in 2017, the country report indicated that among the challenges was inadequate capacity, high expectations from counties and inadequate disaggregated data. Precisely it indicated that there was no data available on the key indicators chosen i.e. 5.2.1; 5.2.2; 5.3.1; 5.3.2; 5.6.2; 5.b.1 and 5.c.1. Kenya has acknowledged data gaps exist. It is an opportunity for SDG Kenya to come out strongly to provide technical support to have baseline data on SDG 5 indicators collected, analysed and disseminated. It will be great to work with KNBS and county statistical officers to actualize this.

4.6.3 Existing structures that can be strengthened

The country requires intensified capacity to create awareness on SDGs and to build the capacity of implementers at the national and county levels. The moment is ripe for SDG

Kenya forum to engage and strengthen capacity on gender mainstreaming at both national and county levels of government.

4.6.4 Space for collaboration

The Government of Kenya has adopted a rights based approach to programming with the citizens at the centre of the development agenda. It welcomes partnerships and collaboration from development partners, CSOs, private sector and other stakeholders. This is a positive measure for meaningful engagement and push for the gender agenda. SDG Kenya Forum occupies a unique position to collaborate with the Government in terms of accountability on SDGs especially goal 5 and other gender related indicators.

CHAPTER FIVE

5.0 CONCLUSIONS AND RECOMMENDATIONS

The Kenya road map to SDGs implementation envisages to work under 5 thematic areas which are: to conduct extensive advocacy and awareness creation; to map out and engage all stakeholders; mainstream the SDGs into National Development Process; Domesticate and Localize the SDGs agenda and to Monitor and Evaluate progress and to support building capacity for devolved governments to implement the process.

For SDG Kenya Forum to align itself with the country's road map under SDG 5 targets and indicators, the following recommendations are made:

1) **Enhance the visibility of the SDG Kenya Forum to deliver on its mandate**

Gender equality is a constitutional right and it is the responsibility of Government to educate its citizenry. However, the study reveals limitations and challenges from the policy makers.

The SDG Kenya Forum should consider reviewing its entry point at the county levels for effectiveness. While the forum has identified its implementing partners (CSOs) there is merit in identifying and partnering with a public agency with nationwide oversight mandate to strengthen its entry at various counties.

We recommend that the forum should reach out and work with the National Gender and Equality Commission (a constitutional body) that have offices in Kisumu and Mombasa and also works with all the 47 counties. This may not have a monetary implication to the Forum but will enhance its visibility.

The SDG Kenya Forum members implementing at county level seemed to have challenges in accessing the county policy decision makers.

2) **Build capacity of duty bearers at the national and county Government to strengthen institutional coordination mechanism on Gender Mainstreaming**

The government has acknowledged that they have inadequate capacity to mainstream SDGs in the development agenda. The study finds there is lack of understanding or resistance to embrace gender mainstreaming and integration in the development agenda at both levels. This can only be achieved through awareness raising programmes, sensitization and capacity building trainings. Duty bearers must have the capacity to programme with gender lens.

The SDG Kenya Forum must rethink its interventions and take a step back to build capacity of public officers responsible for planning and implementation of SDGs on why gender and gender mainstreaming is important for meaningful development process that is rights based. This will work toward gender responsive planning, implementation, monitoring and evaluation as per the target and indicators in SDG 5.

3) **Sensitize and create awareness on the SDGs at the citizenry level for accountability**

'Leaving no one behind' is a dream that must be realized. The Government acknowledges that there are high expectations from stakeholders. The Kenya

constitution identifies the most marginalized and vulnerable people as women, children, persons with disabilities, the elderly and the youth. For any-meaningful engagement at the citizen's level, these categories must be included.

It is recommended that the SDG Kenya Forum and its partners must in their planned interventions create awareness on SDGs with emphasis on goal 5 in an inclusive manner that indeed leaves no one behind. There is need to forge clear partnerships with CBOs at the grassroots level.

The study revealed that majority of Kenyans do not know what SDGs are and their implication to the development agenda and did not link the SDGs to Vision 2030 or the Big 4 Agenda.

It may therefore be necessary to map out forum's members working in counties of focus to know their area of programming and establish how to integrate with programming based on goal 5, so as to achieve gender equality and empower girls and women as a sure means of leaving no one behind to hold the government to account.

4) Mobilize more resources for implementation of Goal 5

From the findings, the Government has a challenge of inadequate funding to implement the SDGs. Counties have not put budgets into gender responsive programming. The expectations from the implementers are that the partners will sit at the decision making table to support and leverage the limited Government resources.

The SDG Kenya forum is appreciated at the national level as a key partner bringing in the CSOs voice. The expectation is that the forum will meet the expectation of helping intensify capacity and mainstreaming SDGs in the development agenda.

These will require extra efforts in resource mobilization. It is recommended that the Forum commence the process of resource mobilization beyond what is available to undertake capacity building on SDG 5.

5) Invest more in national and county statistical officers for gender responsive data for monitoring and evaluation

The verdict is out that the Government has challenges of inadequate disaggregated data. While the KNBS has over a period build its staff capacity, the same is not available at the county. It will be necessary to facilitate means of gathering, collating and disseminating gender related data. Gender reporting will ne based on available and gathered data.

The SDG Kenya Forum must invest at both the national and county level statistical officers to support development of the missing gender indicators towards the targets and indicators set out in SDG 5. Further support will be needed to collect, collate, interpret and disseminate the data that should be disaggregated by age, sex, disability, geographical among other social factors as indicated in the targets and indicators of the goal 5.

6) Act as the CSOs accountability machinery to continuously hold the Government to account on delivery of SDG 5 indicators and other connected gender indicators emanating from other SDGs

Since the adoption of SDGs 2030 Agenda, Kenya has put in place mechanism to support implementation at the national and county levels. The Kenya constitution Article 10 acknowledges equality, participation, transparency, and accountability as key tenets to sustainable development. The State Department of Gender has clear programmes of implementation aimed at achieving gender equality. On the other hand the National Gender Equality Commission has the oversight mandate on ensuring realization of gender equality and freedom from discrimination.

The SDG Kenya forum must be ceased of all Kenya's reporting obligations and seeks to have CSOS status to make shadow reports and or personally engage with the mechanisms at the domestic, regional and international reporting.

5.1 GENDER ACTION PLAN (GAP) MAINSTREAMING SDG 5 INTO DEVELOPMENT AGENDA

| RECOMMENDATIONS | ACTIONS | BY WHEN |
|---|--|-------------------------------|
| <p>1) Enhance the visibility of the SDG Kenya Forum to deliver on its mandate.</p> | <ul style="list-style-type: none"> i. Enhance visibility by rebranding and finalization the legal process establishing the Forum to institutionalize the forum. ii. Develop Strategic Plan of 5 years implementation Framework. iii. Develop communication strategy iv. Develop and disseminate advocacy materials on promoting SDG Kenya Forum. v. Issue expert papers at gender round table quarterly dialogue with community's engagement. | <p>2019 2020</p> |
| <p>2) Build capacity of duty bearers at national and county level to strengthen institutional coordination on Gender Mainstreaming</p> | <ul style="list-style-type: none"> i. Develop Training manual on gender mainstreaming and SDG 5 ii. Facilitate 2 trainings in every county for duty bearers and rights holders on SDG 5 and gender implication on the other targets and goals. iii. Work with policy makers at both levels of Government and offer capacity on gender mainstreaming. iv. Develop documentary and advocacy materials on SDG 5 and development agenda. v. Develop Checklist for mainstreaming gender into the development process. vi. Advocate for adoption of national Gender Policy framework and development of county specific gender polies at every county. | <p>2019 2020 2021</p> |
| <p>3) Sensitize and create awareness at the citizenry level for accountability</p> | <ul style="list-style-type: none"> i. Undertake county mapping and sensitization on targets in SDG 5 as a priority by identifying actors and their comparative advantage. ii. Promoting Male involvement is crucial to promote gender equality iii. Train opinion and traditional leaders to support gender mainstreaming. iv. Advocacy programmes targeting the community with positive messages to change the patriarchy attitudes and stereotypes. | <p>2019, 2020 and 2021</p> |

| | | |
|--|--|--|
| | v. Sensitize Kenyans on gender indicators adopted in the CENSUS to be undertaken in August 2019. | |
| 4) Mobilize more resources for implementation of Goal 5 | <ul style="list-style-type: none"> i. Undertake vigorous resource mobilization to grow the resource based for implementation. ii. Develop resource mobilization strategy. iii. Train the counties on resource mobilization for gender equality and empowerment of women and girls. | Continuous Process |
| 5) Invest more in national and county statistical officers for gender responsive data for monitoring and evaluation | <ul style="list-style-type: none"> i. Work with KNBS to define the missing gender indicators. ii. Facilitate jointly with other partners i.e. UN women to help KNBS identify the source of the information on identified indicators. iii. Capacity build county planners and statistical officers to acknowledge gender indicators and improve presentation of the County Statistical Abstracts released by KNBS and Counties as a county data source. iv. Support County Statistical officers to disaggregate data by sex, age, disability, geographical among other social dimensions. v. Engender Kenya Social Protection of Single database of the social protection resource i.e. Uwezo fund, WEF, youth Fund etc. vi. Prepare annual progress reports on performance on gender indicators. | Continuous Process |
| 6) Act as the CSOs accountability machinery to continuously hold the Government to account on delivery of SDG 5 indicators | <ul style="list-style-type: none"> i. Set agenda for strengthening accountability at all levels. ii. Engendering Government Development Agenda by developing or reviewing gender specific indicators for monitoring implementation of Vision 2030, MTP III and Big 4 Agenda and participate in National Gender forums hosted by the State Department of Gender and the Council Of Governors (CoG) iii. Participate in Regional and International Reporting in Human Rights Treaty mechanisms Framework whose implementation is | Various dates- notice but activities happen annually. Continuously check the calendar with relevant bodies |

| | | |
|--|---|---|
| | <p>linked to Agenda 2030 on SDGs by presentation of Shadow report and engaging with the process for example :</p> <ul style="list-style-type: none"> ◦ Universal Period Review in Geneva ◦ ICPD25 Accelerating the promise ◦ Beijing +25 ◦ Commission on Status of Women (CSW) ◦ CEDAW ◦ African Peer Review Mechanisms ◦ Africa Maputo Protocol Reporting | <p>Kenya due this Jun 2019 for universal periodic review of human rights performance.</p> <p>Review happening in Nairobi 12-13 November 2019</p> <p>Beijing +25 happening in New York March 9-10 2010 during the CSW</p> <p>Happens annually in March in New York</p> <p>Kenya reported CEDAW in November 2017. In 2 years Review report to be submitted and next reporting in 2021.</p> <p>Process on-going for third review for Kenya</p> <p>When Kenya submitted first report. No report yet submitted</p> |
|--|---|---|

ANNEXES

Annex I- The questionnaire

Questionnaire serial number.....

Greetings. My name is..... and I am conducting a baseline study on behalf of the SDGs Kenya Forum, a platform of non-state actors reference group aiming at a structured framework for engaging the government in the implementation and realization of the global agenda 2030 for sustainable development. The purpose of this study is to gather baseline levels for integration of principles of gender equality in national and county level development processes. The study assess the missed opportunities useful in the formation of strategies for ensuring effective engagement of the platform with government towards timely and comprehensive implementation of the goal 5 on gender equality and inclusion.

The interview shall last 30 minutes. Do I have your permission to continue.....

Yes.....No.....

A. Background

1. State your organization or institution of affiliation.....
2. What type of organization: 1 Public/Gov 2. Private 3. NGO 4. Faith based 5. Community based
6. Other specify.....
3. Is your organization a member of SDG Kenya Forum. 1 Yes 2. No 3. DK 4 Not sure
4. What components of gender matters does your organizations deal with? You may check more than one response
 - a. Financing gender interventions
 - b. Women empowerment
 - c. Planning for mainstreaming gender across wide range of development plans
 - d. Gender governance
 - e. Auditing gender equality and empowerment
 - f. Monitoring and tracking results-gender analysis
 - g. International/regional/domestic reporting on gender agenda
 - h. Policy formulations/review
 - i. Implementation of gender agenda
 - j. Advocacy work

k. Other specify.....

B: Normative and Domestic Legislative Environment

1. Are there limitations within Kenya’s legal and policy frameworks that hinder effective implementation of SDG 5? Explain.....
2. Does Kenya have legal and policy incentives to promote implementation of the SDG 5? Name and Explain.....
3. What recommendations would you suggest to improve the legal and policy framework in Kenya promoting gender equality

C: SDG5 Programming

1. In your view, do the CSOs have adequate incentives to implement the SDG 5 or contribute holding state accountable on realization of SDG 5?
2. In your view which of the indicators within the SDG 5 is Kenya likely to lag behind (show card of indicators) explain.....
3. What needs to be done to ensure Kenya meets all SDG 5 indicators?.....
.....
4. In the past year, how much resources did your agency set towards gender equality related functions and interventions.....
5. In your view, are these resources adequate and what recommendations do you have to increase fiscal allocations to SDG5
6. In your view, which AGENCY HAS THE GREATEST responsibility of implementing SDG5?.....
.....
7. At county level, do you have any example of a high impact intervention designed to promote gender equality? State the county and the describe the intervention.....
.....

D. SDG5 and Development

1. Does Kenya national development plans considers gender equality? To what extent and could you provide gender equality targets each development plan provide

| Sr/N | Type of Development plan | Does it consider gender equality | Explain how | Provide an empirical target the plan has set on gender equality |
|------|--------------------------------|----------------------------------|-------------|---|
| 1 | Vision 2030 | | | |
| 2 | Medium term expenditure plan 3 | | | |
| 3 | The big 4 agenda | | | |
| 4 | Kenya annual budget-2018/19 | | | |

2. In the county level, do you have an example of any development plan that considers gender equality?

3. In your view, have civil societies been involved in ensuring county and national development plans consider gender equality?.....

4. What would be the most unique role of the civil societies in the implementation of the SDGs

5. Have CSOs fulfilled this role you stated above? If not what needs to done to ensure CSOs fulfil this role.

E. SDG 5 Reporting

1. Are you aware of any SG5 SCORE CARD. Describe/explain by stating who developed it and what are the key elements?

2. Are you aware of any report Kenya has formulated about progress made in the realization of the SDGs/SDG 5? Provide details

3. What recommendations would you suggest on national and county reporting on progress made on the implementation of the SDGs?

F: Monitoring and Tracking process for SDG 5 in Kenya

1. Do you know of any policy or legal framework operated by the Government (National and County level in terms of catalytic resources aimed at supporting women economically? (For example access to government procurement opportunities (AGPO) , Uwezo fund , Women Enterprise fund, and funds for persons with severe disabilities etc.) ?

If yes, how has it benefited women? Please name and explain

.....
.....

2. Does Kenya have a system to track the % of resources that go into gender equality and women empowerment in the country?

.....
.....

3. Apart from the cash, what other efforts have been made by the country to ensure that women access equal rights with men in terms of economic resources, access and control over land and other forms of property finance resources, inheritance and natural resources?

.....
.....

4. Which Government organization has the responsibility to monitor service delivery to conform to the SDG 5 targets? Do they have a monitoring tool?

Please state and explain

.....
.....

G: Accountability for SDG 5 in Kenya

1. What accountability framework has been adopted at the national level to effectively monitor implementation of SDG 5 and how does it impact on gender mainstreaming at the devolved level? Please state an explain.....

2. Which partners participate in the accountability processes for the SDG 5 in Kenya ? Name them.....

3. What recommendation can you propose to strengthen accountability for SDG 5 in Kenya?

.....

H: Strengthening SDG Kenya Forum

1. What are some of the actions SDG Kenya forum should engage in to ensure they contribute in the realization of the SDG 5?

2. What other recommendations would you like to make about strengthening SDG Kenya Forum?

Annex II The Minimum pre-selected Set of Gender Indicators - quantitative indicators (Source KNBS)

| The Minimum Set of Gender Indicators - quantitative indicators | | | | | |
|---|---|---|-------------|---|-------------------------|
| Indicator # | Indicator | References to the strategic objective in the Beijing Platform for Action | Tier | status of data at national level | Lead UN Agencies |
| I. Economic structures, participation in productive activities and access to resources | | | | | |
| 1 | Average number of hours spent on unpaid domestic work by sex (Note: Separate housework and child care if possible) | C.2, F.1, H.3 | 2 | | UNSD |
| 2 | Average number of hours spent on paid and unpaid domestic work combined (total work burden), by sex | F.1, H.3 | 2 | | UNSD |
| 3 | Labour force participation rate for persons aged 15-24 and 15+, by sex | F.1, H.3 | 1 | | ILO |
| 4 | Proportion of employed who are own-account workers, by sex | F.2 | 1 | | ILO |
| 5 | Proportion of employed who are contributing family workers, by sex | H.3 | 1 | | ILO |
| 6 | Proportion of employed who are employers, by sex | F.1 | 1 | | ILO |
| 7 | Percentage of firms owned by women, by size | F.1, F.2 | 3 | | ILO |
| 8 | Percentage distribution of employed population by sector, each sex (Sectors here refer to Agriculture; Industry; Services) | F.5, H.3 | 1 | | ILO |
| 9 | Informal employment as a percentage of total non-agricultural employment, by sex | F.2, H.3 | 2 | | ILO |
| 10 | Youth unemployment rate for persons aged 15-24 by sex | F.1 | 1 | | ILO |
| 11 | Proportion of population with access to credit, by sex | F.1, F.2 | 3 | | WB/FAO/OECD |
| 12 | Proportion of adult population owning land, by sex | A.1, A.2 | 3 | | WB/FAO/OECD |
| 13 | Gender gap in wages | F.1, F.5 | 3 | | ILO |
| 14 | Proportion of employed working part-time, by sex | F.5 | 2 | | ILO |
| 15 | Employment rate of persons aged 25-49 with a child under age 3 living in a household and with no children living in the household, by sex | F.6 | 3 | | ILO |

| | | | | | |
|---|--|---------------|---|--|--------------------------|
| 16 | Proportion of children under age 3 in formal care | F.6 | 3 | | OECD |
| 17 | Proportion of individuals using the Internet, by sex | F.3 | 1 | | ITU |
| 18 | Proportion of individuals using a mobile cellular telephone, by sex | F.3 | 1 | | ITU |
| 19 | Proportion of households with access to mass media (radio, TV, Internet), by sex of household head | F.3 | 3 | | ITU |
| II. Education | | | | | |
| 20 | Youth literacy rate of persons (15-24 years) , by sex | B.2, L.4 | 1 | | UIS |
| 21 | Adjusted net enrolment rate in primary education by sex | B.1, L.4 | 1 | | UIS |
| 22 | Gross enrolment ratio in secondary education, by sex | B.1 | 1 | | UIS |
| 23 | Gross enrolment ratio in tertiary education, by sex | B.1 | 1 | | UIS |
| 24 | Gender parity index of the gross enrolment ratio in primary, secondary and tertiary education | B.1, L.4 | 1 | | UIS |
| 25 | Share of female science, engineering, manufacturing and construction graduates at tertiary level | B.3, B.4, L.4 | 1 | | UIS |
| 26 | Proportion of females among tertiary education teachers or professors | B.4, L.4 | 1 | | UIS |
| 27 | Adjusted net intake rate to the first grade of primary education, by sex | B.1 | 1 | | UIS |
| 28 | Primary education completion rate (proxy), by sex | B.1 | 1 | | UIS |
| 29 | Gross graduation ratio from lower secondary education, by sex | B.1 | 1 | | UIS |
| 30 | Effective transition rate from primary to secondary education (general programmes), by sex | B.1 | 1 | | UIS |
| 31 | Educational attainment of the population aged 25 and older, by sex | B.1 | 1 | | UIS |
| III. Health and related services | | | | | |
| 32 | Contraceptive prevalence among women who are married or in a union, aged 15-49 | C.1, C.2 | 1 | | UNPD |
| 33 | Under-five mortality rate, by sex | C.1 | 1 | | UNICEF/ UNPD/ WHO |
| 34 | Maternal mortality ratio | C.1 | 1 | | WHO/ UNICEF/ UNFPA |
| 35 | Antenatal care coverage | C.1 | 1 | | UNICEF |
| 36 | Proportion of births attended by skilled | C.1 | 1 | | UNICEF |

| | | | | | |
|---|---|---------------|---|----|------------------|
| | health professional | | | | |
| 37 | Smoking prevalence among persons aged 15 and over, by sex | C.2 | 1 | | WHO |
| 38 | Proportion of adults who are obese, by sex | C.1, C.2 | 1 | | WHO |
| 39 | Women's share of population aged 15-49 living with HIV/AIDS | C.3 | 1 | | UNAIDS |
| 40 | Access to anti-retroviral drug, by sex | C.3 | 1 | | WHO |
| 41 | Life expectancy at age 60, by sex | C.1, C.2 | 1 | | UNPD |
| 42 | Adult mortality by cause and age groups | C.1, C.2 | 1 | | WHO |
| IV. Public life and decision-making | | | | | |
| 43 | Women's share of government ministerial positions | G.1 | 1 | | IPU |
| 44 | Proportion of seats held by women in national parliament | G.1 | 1 | | IPU |
| 45 | Women's share of managerial positions | F.1, F.5, G.1 | 1 | | ILO |
| 46 | Percentage of female police officers | I.2 | 2 | | UNODC |
| 47 | Percentage of female judges | I.2 | 2 | | UNODC |
| V. Human rights of women and girl children | | | | | |
| 48 | Proportion of ever-partnered women (aged 15-49) subjected to physical and/or sexual violence by a current or former intimate partner, in the last 12 months | D.1, D.2 | 2 | | WHO/UN SD/UNICEF |
| 49 | Proportion of women (aged 15-49) subjected to sexual violence by persons other than an intimate partner, since age 15 | D.1, D.2 | 2 | | WHO/UN SD/UNICEF |
| 50 | Prevalence of female genital mutilation/cutting (for relevant countries only) | I.2 | 1 | | UNICEF |
| 51 | Percentage of women aged 20-24 years old who were married or in union before age 18 | L.1, L.2 | 1 | | UNICEF |
| 52 | Adolescent birth rate | L.1, L.2 | 1 | | UNPD |
| | Total | | | 52 | |

Annex III Draft Indicators for Gender Data Sheet (County Level)

| | Population | | | | | | | | | | | | Empowerment | | |
|------------------|------------------|------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---|-------------|-------------|
| Region | Age group | | | | | | | | | | | | Percent of population who do not own land | | |
| | Total | | <15 | | 15-24 | | 25-34 | | 35-59 | | 60+ | | Men | | Women |
| | Male | female | Male | female | Male | female | Male | female | Male | female | Male | female | Age (15-54) | Age (15-49) | Age (15-49) |
| Kenya | 237 525 29 | 241 016 53 | 97 65 19 9 | 96 40 62 8 | 67 77 55 6 | 67 61 36 1 | 35 76 16 8 | 38 90 59 4 | 44 94 78 2 | 46 45 44 6 | 11 46 77 3 | 12 67 30 3 | 53 | 56 | 50. 7 |
| Nairobi | 241 938 6 | 253 325 0 | 85 41 60 | 86 39 47 | 63 05 06 | 79 82 46 | 50 95 44 | 59 85 54 | 60 83 91 | 51 54 14 | 79 19 7 | 68 99 2 | 55 | 56 | 91. 4 |
| Nyandarua | 354 683 | 358 705 | 15 12 25 | 14 56 73 | 88 40 9 | 82 93 3 | 44 38 1 | 50 17 5 | 73 85 2 | 81 94 1 | 20 58 1 | 23 20 8 | 61 | 64 | 42. 3 |
| Nyeri | 413 836 | 416 007 | 13 64 03 | 13 22 26 | 10 82 05 | 99 00 8 | 62 06 3 | 64 15 4 | 10 58 91 | 11 36 35 | 34 60 2 | 39 43 1 | 46 | 48 | 53. 3 |
| Kirinyaga | 318 318 | 313 477 | 10 11 25 | 10 00 71 | 84 05 7 | 78 14 7 | 55 41 7 | 55 37 9 | 86 12 1 | 83 57 9 | 20 93 2 | 24 52 6 | 64 | 66 | 76. 6 |
| Muranga | 556 699 | 570 855 | 20 54 19 | 19 94 15 | 13 83 30 | 12 77 77 | 71 57 5 | 78 43 1 | 13 08 84 | 14 87 06 | 49 12 1 | 56 09 3 | 54 | 57 | 50. 0 |
| Kiambu | 981 544 | 960 185 | 32 46 91 | 32 32 92 | 28 00 53 | 27 98 42 | 18 54 82 | 18 03 62 | 24 42 05 | 21 99 85 | 46 92 6 | 52 42 8 | 50 | 55 | 65. 0 |
| Mombasa | 657 075 | 609 493 | 19 98 50 | 20 08 29 | 21 39 02 | 21 80 95 | 15 04 17 | 14 14 28 | 15 72 36 | 11 17 02 | 18 77 2 | 17 57 3 | 54 | 55 | 81. 4 |
| Kwale | 424 838 | 451 826 | 20 06 11 | 19 84 83 | 10 47 13 | 11 59 21 | 50 19 1 | 68 84 7 | 74 30 2 | 80 85 8 | 22 76 2 | 23 89 9 | 76 | 78 | 57. 9 |
| Kilifi | 719 219 | 777 139 | 33 84 78 | 33 62 66 | 18 62 90 | 19 90 87 | 85 13 7 | 11 52 08 | 12 04 70 | 14 20 31 | 36 82 8 | 44 91 0 | 77 | 81 | 54. 8 |

| | | | | | | | | | | | | | | | |
|---------------------|------------|------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---------------|----|----|----------|
| Tana River | 161 280 | 162 631 | 81 34 4 | 77 89 0 | 38 43 7 | 40 63 6 | 17 94 0 | 22 11 3 | 26 39 8 | 27 21 6 | 76 05 | 69 80 | 47 | 53 | 53. 3 |
| Lamu | 713 19 | 656 36 | 27 86 2 | 26 87 4 | 19 92 1 | 16 90 3 | 10 21 4 | 10 05 8 | 14 80 3 | 13 47 8 | 41 37 | 36 34 | 51 | 54 | 57. 1 |
| Taita Taveta | 195 022 | 188 951 | 69 56 7 | 68 45 3 | 53 76 0 | 46 75 7 | 29 51 1 | 28 36 8 | 44 96 2 | 44 61 8 | 13 63 9 | 15 86 9 | 48 | 50 | 36. 5 |
| Marsabit | 169 838 | 152 506 | 78 24 4 | 71 68 5 | 47 86 6 | 41 09 6 | 19 84 7 | 18 38 5 | 24 42 8 | 22 49 9 | 10 44 9 | 91 50 | 53 | 58 | 70. 5 |
| Isiolo | 828 25 | 757 88 | 36 68 6 | 33 46 0 | 23 13 6 | 22 19 2 | 11 20 8 | 10 42 9 | 13 84 6 | 11 76 0 | 44 25 54 | 41 54 | 54 | 56 | 62. 5 |
| Meru | 753 772 | 746 594 | 30 58 80 | 29 28 26 | 20 61 52 | 21 65 49 | 12 11 50 | 12 00 93 | 14 11 72 | 13 57 41 | 45 58 5 | 50 27 7 | 28 | 30 | 30. 0 |
| Tharaka | 200 561 | 203 496 | 80 78 7 | 77 26 0 | 52 53 2 | 55 25 5 | 27 87 0 | 30 96 4 | 39 85 0 | 40 65 7 | 14 51 3 | 16 52 2 | 34 | 37 | 56. 7 |
| Embu | 285 818 | 285 193 | 10 94 37 | 10 48 11 | 79 05 7 | 77 13 4 | 43 82 1 | 44 85 5 | 58 46 5 | 60 31 5 | 18 95 6 | 22 79 2 | 50 | 54 | 61. 6 |
| Kitui | 540 929 | 578 664 | 26 80 80 | 25 29 95 | 13 34 33 | 14 83 15 | 51 41 0 | 73 06 0 | 78 60 2 | 98 58 2 | 36 99 4 | 45 69 3 | 45 | 47 | 13. 5 |
| Machakos | 610 451 | 604 820 | 24 53 87 | 23 04 81 | 17 37 56 | 16 77 19 | 87 43 8 | 91 94 6 | 11 35 87 | 11 89 04 | 38 40 5 | 46 91 9 | 45 | 47 | 18. 1 |
| Makueni | 484 087 | 494 160 | 22 04 18 | 20 69 55 | 12 86 29 | 12 63 63 | 53 12 2 | 64 08 1 | 78 90 0 | 92 36 5 | 31 78 7 | 39 43 5 | 63 | 65 | 44. 6 |
| Garissa | 228 547 | 219 360 | 82 02 9 | 77 46 7 | 80 64 4 | 74 85 5 | 42 47 2 | 33 88 8 | 38 76 6 | 43 41 0 | 99 95 5 | 10 19 | 59 | 60 | 29. 3 |
| Wajir | 247 267 | 228 590 | 95 79 6 | 90 04 2 | 80 82 1 | 67 94 7 | 38 25 1 | 32 26 6 | 42 77 5 | 47 08 1 | 11 52 3 | 94 28 | 60 | 62 | 77. 9 |
| Mandera | 379 814 | 357 584 | 15 34 34 | 14 91 85 | 12 31 57 | 10 04 42 | 50 61 4 | 47 14 9 | 65 00 1 | 74 44 2 | 16 68 2 | 11 71 4 | 52 | 54 | 78. 8 |
| Siaya | 488 221 | 539 460 | 22 12 47 | 21 98 95 | 13 84 32 | 13 72 53 | 59 27 8 | 72 81 3 | 72 33 6 | 10 33 69 | 31 62 2 | 45 59 3 | 50 | 52 | 33. 1 |
| Kisumu | 584 262 | 597 887 | 24 30 94 | 24 65 63 | 18 48 05 | 17 69 50 | 90 93 3 | 93 61 1 | 93 73 7 | 10 13 38 | 25 15 9 | 31 00 9 | 52 | 54 | 31. 0 |
| Migori | 112 | 120 | 53 | 53 | 32 | 33 | 15 | 18 | 16 | 19 | 45 | 53 | 35 | 36 | 26. |

| | | | | | | | | | | | | | | | |
|------------------------|-----------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---------------|----|----|----------|
| | 814 | 914 | 33 9 | 91 5 | 06 8 | 00 7 | 18 8 | 28 8 | 49 2 | 97 0 | 50 | 53 | | | 6 |
| Homa Bay | 566 562 | 609 344 | 27 04 68 | 27 07 20 | 16 39 31 | 16 14 85 | 68 83 3 | 86 56 5 | 76 60 0 | 10 17 50 | 27 06 0 | 35 20 7 | 40 | 44 | 51. 9 |
| Kisii | 674 846 | 731 033 | 30 18 06 | 30 18 91 | 19 12 42 | 20 70 98 | 83 78 6 | 11 28 08 | 11 43 02 | 13 36 69 | 31 35 7 | 36 55 3 | 48 | 51 | 40. 7 |
| Nyamira | 351 594 | 378 323 | 15 30 31 | 15 31 00 | 97 23 9 | 10 66 10 | 44 33 4 | 61 16 5 | 64 20 9 | 71 23 3 | 17 59 3 | 19 18 8 | 32 | 35 | 34. 4 |
| Turkana | 508 159 | 485 455 | 22 48 24 | 21 06 82 | 16 02 46 | 13 79 12 | 66 15 8 | 72 48 5 | 76 79 8 | 85 08 9 | 23 37 4 | 20 92 9 | 94 | 95 | 7.8 |
| West Pokot | 344 490 | 351 603 | 17 15 53 | 16 83 17 | 92 25 2 | 94 42 2 | 42 89 1 | 49 81 0 | 49 53 8 | 52 53 2 | 12 94 3 | 14 40 4 | 42 | 44 | 7.1 |
| Samburu | 151 364 | 152 696 | 72 34 0 | 71 05 7 | 42 89 4 | 40 84 0 | 18 82 9 | 21 39 9 | 21 56 0 | 24 21 9 | 67 79 24 | 72 24 | 57 | 59 | 28. 8 |
| Trans-Nzoia | 551 255 | 560 356 | 24 15 28 | 24 24 30 | 15 88 84 | 15 81 20 | 80 68 6 | 85 51 9 | 93 13 4 | 97 75 1 | 22 69 2 | 23 34 4 | 61 | 63 | 49. 1 |
| Baringo | 377 349 | 376 961 | 17 29 34 | 16 62 88 | 10 72 39 | 10 38 11 | 47 75 3 | 55 48 3 | 59 76 9 | 63 71 6 | 17 83 1 | 19 13 1 | 56 | 59 | 25. 0 |
| Uasin Gishu | 609 908 | 603 648 | 23 06 64 | 23 17 17 | 19 67 40 | 19 49 15 | 10 85 12 | 10 99 08 | 11 27 58 | 10 46 06 | 23 46 6 | 24 30 1 | 65 | 68 | 46. 9 |
| Elgeyo Marakwet | 248 881 | 253 462 | 10 80 04 | 10 80 48 | 70 61 8 | 70 07 0 | 34 49 2 | 37 62 5 | 42 40 4 | 43 70 5 | 13 30 8 | 14 99 8 | 47 | 49 | 75. 0 |
| Nandi | 510 327 | 511 823 | 21 23 72 | 21 27 84 | 14 79 90 | 14 52 67 | 78 08 0 | 79 75 1 | 91 66 7 | 91 88 0 | 24 62 3 | 25 83 4 | 48 | 50 | 39. 7 |
| Laikipia | 268 550 | 273 298 | 10 51 94 | 10 38 95 | 73 94 4 | 73 47 3 | 42 07 5 | 46 45 8 | 55 22 1 | 58 36 7 | 15 68 6 | 16 42 4 | 49 | 54 | 46. 8 |
| Nakuru | 109 076 7 | 108 567 6 | 41 99 20 | 41 51 98 | 32 99 90 | 32 72 52 | 19 22 61 | 20 01 27 | 21 10 20 | 20 53 85 | 46 11 8 | 49 42 5 | 80 | 83 | 72. 3 |
| Narok | 580 934 | 573 799 | 27 39 40 | 26 81 50 | 16 13 86 | 15 90 45 | 83 74 7 | 85 23 7 | 89 90 3 | 88 24 3 | 20 80 6 | 20 91 2 | 46 | 47 | 25. 2 |
| Kajiado | 469 008 | 463 955 | 17 88 52 | 17 75 11 | 14 45 96 | 15 20 17 | 92 53 3 | 91 51 3 | 91 39 4 | 79 97 7 | 15 26 1 | 15 64 3 | 50 | 51 | 42. 9 |
| Kericho | 513 232 | 482 352 | 22 46 | 20 98 | 14 86 | 14 78 | 76 71 | 69 34 | 84 43 | 73 46 | 22 10 | 22 43 | 55 | 58 | 75. 8 |

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|-----------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| | | | 54 | 70 | 70 | 43 | 4 | 3 | 9 | 0 | 6 | 5 | | | |
| Bomet | 492 | 473 | 23 | 21 | 13 | 13 | 65 | 62 | 72 | 67 | 21 | 23 | 39 | 41 | 34. |
| | 775 | 093 | 39 | 57 | 69 | 97 | 73 | 47 | 12 | 79 | 43 | 62 | | | |
| | | | 73 | 58 | 37 | 00 | 6 | 1 | 0 | 3 | 2 | 0 | | | |
| Kakamega | 947 | 993 | 44 | 44 | 26 | 26 | 11 | 12 | 14 | 17 | 43 | 53 | 54 | 59 | 57. |
| | 993 | 893 | 85 | 57 | 52 | 05 | 07 | 93 | 46 | 61 | 43 | 11 | | | |
| | | | 66 | 33 | 94 | 77 | 52 | 96 | 77 | 69 | 8 | 4 | | | |
| Vihiga | 310 | 338 | 14 | 14 | 78 | 82 | 30 | 40 | 50 | 67 | 23 | 28 | 64 | 69 | 33. |
| | 112 | 542 | 41 | 15 | 87 | 02 | 51 | 75 | 59 | 68 | 73 | 83 | | | |
| | | | 11 | 10 | 5 | 1 | 9 | 0 | 5 | 6 | 6 | 7 | | | |
| Bungoma | 795 | 812 | 39 | 38 | 21 | 22 | 92 | 10 | 11 | 12 | 33 | 38 | 48 | 52 | 53. |
| | 474 | 928 | 44 | 42 | 29 | 39 | 62 | 22 | 44 | 22 | 25 | 05 | | | |
| | | | 25 | 72 | 35 | 66 | 4 | 72 | 36 | 06 | 5 | 3 | | | |
| Busia | 421 | 448 | 21 | 20 | 11 | 12 | 47 | 54 | 57 | 69 | 21 | 25 | 54 | 57 | 24. |
| | 834 | 114 | 01 | 66 | 24 | 28 | 59 | 85 | 49 | 36 | 00 | 75 | | | |
| | | | 93 | 18 | 74 | 81 | 8 | 8 | 0 | 2 | 8 | 6 | | | |

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