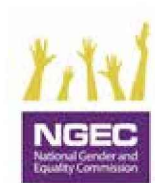




**NGEC**  
National Gender and  
Equality Commission



**THE FIRST DECADE OF THE NATIONAL GENDER AND  
EQUALITY COMMISSION  
2011-2021**



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 National Gender and Equality Commission  
 1<sup>st</sup> Floor, Solution Tech Place, 5 Longonot Road, Upper Hill, Nairobi  
 P.O BOX 27512-00506  
 Nairobi, Kenya  
 Landline: +254(020)3213100  
 Mobile: +254 (709)375100  
 Toll-Free: 0800720187

SMS: 20459  
[info@ngeckkenya.org](mailto:info@ngeckkenya.org)  
[www.ngeckkenya.org](http://www.ngeckkenya.org)  
 Twitter: @NGECKENYA  
[www.facebook.com/NGECKKenya](https://www.facebook.com/NGECKKenya)

Kisumu Office  
 Reinsurance Plaza, 3<sup>rd</sup> Floor, Wing B,  
 Oginga Odinga Street,  
 Kisumu Town.

Nakuru Office  
 Tamoh Plaza, 1<sup>st</sup> Floor, Kijabe Street,  
 Nakuru Town.

Garissa Office  
 KRA Route off Lamu Road, Province,  
 Garissa Town.

Malindi Office  
 Malindi Complex, off Lamu-Malindi Road,  
 Malindi Town.

Kitui Office  
 Nzambani Park, off Kitui Referral Hospital Road,  
 Kitui Town.

Isiolo Office  
 County Estate along Kiwanjani Road,  
 Next to KRA Offices

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## Foreword

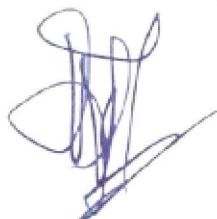
I am delighted to present a brief report of the proceedings of the commemorations of the first decade since the National Gender and Equality Commission (NGEC) was established. The celebrations were titled: *Our Ten-Year Journey, Promoting Gender Equality and Freedom from Discrimination for Special Interest Groups*. The peak of the commemorations happened on 30<sup>th</sup> August 2021 at the Kenya School of Government.

The celebrations marked a decade of active promotion by the NGEC of gender equality, inclusion and non-discrimination in Kenya. The Commemorations involved an array of activities which included; a reflection on the ten (10) year journey in the implementation of our mandate and functions, taking stock of the unfinished business; development of a strategy for comprehensive implementation of the unfinished agenda, appreciation and documentation of the emerging dimensions of exclusion and discrimination, and sharing our vision and strategies for reducing gender inequalities and discrimination among special interest groups in Kenya.

On 30<sup>th</sup> August 2021, the Commission and its stakeholders identified and awarded 80 individuals, institutions and counties for their commendable contributions to advancing gender equality and freedom from discrimination. The Commission also launched seven publications on various topical issues of equality and inclusion. These reports presented policy recommendations, opportunities and gaps that actors should explore in their efforts toward closing the gender and inclusion gaps.

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established in 2011 by the National Gender and Equality Commission Act. No. 15 of 2011 under Article 59 (4) & (5) of the Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya with a focus on special interest groups, which include: women, children, youth, persons with disabilities (PWDs), older members of society, and minorities and marginalized groups. The Commission was established in 2011 with the appointment of the first Commissioners and the establishment of a lean secretariat.

This report provides an overview of the commemoration and acts as the inventory of our rich history, our past remarkable achievements and experiences, and also presents our short-term and long-term proposals for reducing gender inequality and inclusion.



Dr. Joyce M. Mutinda **PhD, EBS**  
**Chairperson**



## Acknowledgements

On August 30th 2021, the National Gender and Equality Commission marked 10 years since its establishment in a grand hybrid ceremony held at the Kenya School of Government, Kabete-Nairobi. Over 400 participants hosted on the Zoom platform attended. The success of these commemorations was made possible by various stakeholders and partners.

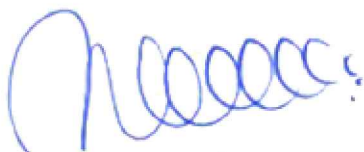
The Commission extends its appreciation to Prof. Margaret Kobia, PhD, MGH, Cabinet Secretary, Ministry of Public Service, Gender, Senior Citizens Affairs & Special Programmes for gracing the occasion and delivering the keynote address during the meeting. I also wish to appreciate Hon. Eugene Wamalwa, EGH, Cabinet Secretary, Ministry of Devolution and ASALs, Mr. Gershom Otachi, Chairperson, National Land Commission and Chairperson of Constitutional Commissions and Independent Offices, and Mr. Nelson Marwa Sospeter, CBS the Principal Secretary, State Department for Social Protection, for their contributions.

The Commission wishes to recognize contributions made by Dr. Regina Mwatha, the Pioneer Chairperson of NGECE, Prof Wanjiku Kabira through her representative, Professor of Literature at the University of Nairobi and Director of the African Women Studies Centre, University of Nairobi, Ms. Jackie Mbogo, the Chief of Party, TetraTech International Development (REINVENT Program), Ms. Eva Muraya, Gender and Youth Sector Board and Director Gender and Small and Medium Enterprises, Kenya Private Sector Alliance, Ms. Zubeida Kananu Koome, Vice-President, Kenya Editors' Guild and News Anchor KTN, Representatives of the Gender Donor Working Group, and Ms. Irene Giribaldi, Head of Cooperation, Gender Donor Working Group, Delegation of the European Union to Kenya for their valuable contributions and great insights.

We appreciate all participants from Non-Governmental Organizations, Community-Based Organizations, Faith-Based Organizations, academia, media and individuals who contributed and followed through with the discussions.

I wish to acknowledge the leadership of the Commission's Chairperson Dr. Joyce M. Mutinda, PhD and all the Commissioners for their leadership and policy guidance during the design, planning and execution of the activity. The planning committee chaired by Director Programmes and Research Mr. Paul Kuria for their commitment and relentless efforts in the successful execution of the event, I say thank you for work well done!

Finally, special appreciation goes to the Government of Kenya and its development partners for their technical and financial support during the commemorations. Special recognition to Tetra-Tech through the REINVENT Programme and the Collaborative Centre for Gender and Development (CCGD), European Union among others who supported various components of the commemorations.



Betty Sungura- Nyabuto, **MBS**  
**Commission Secretary/CEO**

## Acronyms

CAJ	Commission on Administrative Justice
CCIs	Child Care Institutions
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CRC	Convention on the Rights of Children
CSW	Commission on Status of Women
CRPD	Convention on the Rights of Persons with Disabilities
EARCs	Education Assessment and Resource Centres
FAWE	Forum for African Women Educationists
FGM	Female Genital Mutilation
GBV	Gender-Based Violence
KNCHR	Kenya National Commission on Human Rights
KNHREC	Kenya National Human Rights and Equality Commission
NGEC	National Gender and Equality Commission
SIG	Special Interest Groups
PWDs	Persons with Disabilities
MGSC&SS	Ministry of Gender, Sports, Culture and Social Services
IEBC	Independent Electoral and Boundaries Commission
SDGs	Sustainable Development Goals
NGAAF	The National Government Affirmative Action Fund
SLI	Sign Language Interpretation
MCDAs	Ministries Counties Department and Agencies



## PART 1: BACKGROUND AND INTRODUCTION

### 1.0 Background of the National Gender and Equality Commission

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act. No. 15 of 2011 under Article 59 (4) & (5) of the Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya with a focus on special interest groups, which include: women, children, youth, persons with disabilities (PWDs), older members of society, and minorities and marginalized groups. Together with the Commission on Administrative Justice (CAJ), and the Kenya National Commission on Human Rights, the NGEC is one of the three successor Commissions, to the Kenya National Human Rights and Equality Commission (KNHREC) established in Article 59 of the Constitution of Kenya, 2010.

The Commission became fully operational in May 2012 with the appointment by the President of the Chairperson Ms Winfred Lichuma on 19th October 2011 and the subsequent establishment of a lean secretariat. Before the establishment of NGEC, the National Parliament had established on 9th January 2004, the National Commission for Gender and Development consisting of a chairperson and 17 members to strengthen the national machinery for gender mainstreaming. In the same year (December 2004), the government elevated the Women's Bureau to the Department of Gender. The National Commission for Gender and Development worked closely with the division of gender and later broader Department of Gender and Social Services in the Ministry of Gender, Sports, Culture and Social Services (MGSC&SS) and was instrumental in monitoring the implementation of the National Policy on Gender and Development, 2000.

The functions of the Commission are derived from Articles 10, 21, 27, 43, 59, 249 of the Constitution and Section 8 of the National Gender and Equality Commission Act No. 15 of 2011. They include:

- i) promote gender equality and freedom from discrimination under Article 27 of the Constitution;
- ii) monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;
- iii) act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- iv) coordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and advise the Government on all aspects thereof;
- v) monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;
- vi) investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and

- make recommendations for the improvement of the functioning of the institutions concerned;
- i) work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
  - ii) co-ordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
  - iii) conduct and coordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
  - iv) receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination;
  - v) work with the National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaborations in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
  - vi) prepare and submit annual reports to Parliament on the status of implementation of its obligation under this Act;
  - vii) conduct audits on the status of Special Interest Groups including minorities, marginalized groups, persons with disabilities, women, youth, and children;
  - viii) establish, consistent with data protection legislation, databases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
  - ix) perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and
  - x) Perform such other functions as may be prescribed by the Constitution and any other law.

Section 9 of the National Gender and Equality Commission Act, No 15 of 2011 provides for the membership of the Commission to consist of a Chairperson and four other members (Commissioners) appointed under the Constitution of Kenya, 2010 and the provision of the Act. The Chairperson is the spokesperson of the Commission and supervises and directs the work of the Commission. The Current Commissioners: Dr. Joyce Mutinda PhD, EBS – Chairperson, Dr. Chomba Munyi PhD, MBS – Vice-Chairperson (Commissioner with disability). Hon. Priscila Nyokabi – Commissioner.

Section 21 of the Act also provides for the Commission Secretary who is the Chief Executive Officer of the Commission, head of the secretariat and responsible to the Commission. The Commission Secretary/CEO oversees the day-to-day management of the Commission and is supported by technical officers who design, develop and implement programmes based on the advice of the Commission. The Commission has 62 technical officers and 44 support staff.

The Commission's strategic interventions are guided by strategic plans. The Commission is currently implementing its third strategic plan 2019-2024. This strategy aims at supporting the State to achieve substantive and transformative gender equality through the conduct of audits and research, provision of advisories, documenting the gaps and



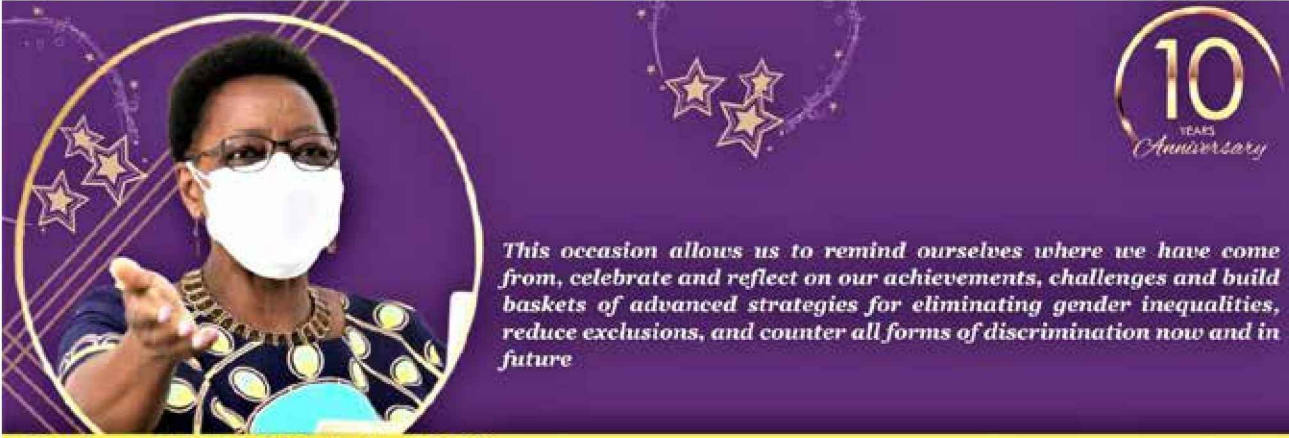
opportunities for reducing exclusions and discriminations, and closing gender inequalities. The first strategic plan was implemented between 2013 and 2017. In 2017, the Commission formulated a transition Strategic Plan 2017-2018 following an evaluation conducted by Deloitte and Touch. These two strategic plans are aimed at grounding and consolidating the mandate of the Commission.

In 2019, the Commission launched a third strategic plan carrying a new vision namely, ‘A society free from gender inequality and all forms of discrimination. The Mission is “To promote gender equality and freedom from all forms of discrimination in Kenya, especially for Special Interest Groups through ensuring compliance with policies, laws and practice”. The vision and mission stand on the values of Fairness, Inclusiveness, Team-work, Accountability and Integrity.

This plan builds on the momentum to upscale interventions geared at ensuring the integration of the principles of equality and inclusion in all spheres of life in Kenya. The plan has a five-point thematic areas matrix namely: compliance, monitoring and reporting; investigations and redress; public education and mainstreaming; research and knowledge management; and institutional capacity. The Commission is now 10 years since its establishment in 2011.

It is against this backdrop that the Commission commemorated 10 years since its establishment. The Commemorations provided NGEc with an opportunity for bringing together stakeholders drawn from the national and county governments, development partners, representatives of Special Interest Groups, Civil Society Organizations, and private sector organizations among others, in taking stock of the 10th anniversary of the Commission.

### 1.1 Objectives of the 10th Anniversary Celebrations



*This occasion allows us to remind ourselves where we have come from, celebrate and reflect on our achievements, challenges and build baskets of advanced strategies for eliminating gender inequalities, reduce exclusions, and counter all forms of discrimination now and in future*

**Dr. Joyce Mwikali Mutinda, (PhD)**  
CHAIRPERSON

**#NGECat10**

1. To take stock and showcase achievements made by the Commission from 2011-to 2021 and to set a consolidated agenda for the next decade;
2. To deepen understanding of the factors that have enabled or constrained progress, and received proposals on how to address these factors.
3. Share a strategy for the continued reduction of gender inequality and discrimination in Kenya, in line with the mandate of the NGEc.



## 1.2 The Structure of the Commemoration

The Commemoration was held on 30th August 2021, at the Kenya School of Government (KSG), Nairobi. The event had over 400 participants some physically present while others attended virtually via the zoom platform. The ceremony was a culmination of a weeklong series of events organized by the Commission to celebrate critical milestones covered in the last ten years.

On August 25th 2021, the Commission hosted a tweet chat on its institutional handle @NGECKenya and managed to trend at number 6. The chats were broadcasted via #AskNGEC and #NGECat10 domains. This build-up activity provided youth, urban populations, and representatives of our SIGs to interact with the commission leadership including the Chairperson, commissioners and CEO. The audience asked questions, made contributions to motions, and provided suggestions and solutions for consideration in our programming.

On the apex day of the celebration, the Commission took stock of the achievements made in the last 10 years (2011-2021), reviewed institutional and operational impact made over the past decade, and stock of the factors that have enabled or constrained progress, as well as enumerate series of strategies for application in the next decade for reducing gender inequality and exclusions. On the same date, the Commission recognised and awarded individuals and institutions that had made contributions towards promoting gender equality and freedom from discrimination in Kenya and marked the launch of the *Usawa* awards.

While the Commission had planned for regional celebrations within counties where NGEK has county offices, the activities did not happen due to budget constraints. This report documents, in summary, form the proceedings of the celebration as they happened on 30<sup>th</sup> August 2021.



**The Commission Secretary/CEO Betty Sungura-Nyabuto, MBS addresses delegates at the Karisa Maitha grounds in Kilifi town during celebrations to mark the International Women's Day (IWD) 2022 celebrations. The CEO also presented a Certificate of recognition to the Kilifi County Government for exemplary services in promoting Equality and Inclusion of Special Interest Groups awarded during the NGEK@10 anniversary**



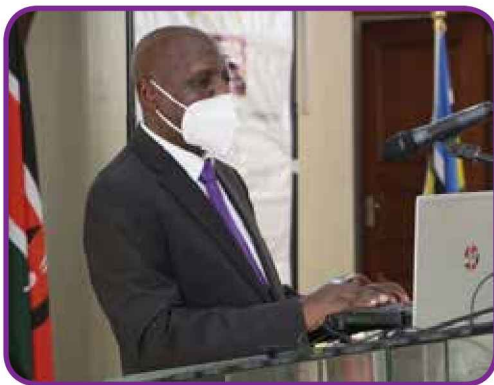
## PART 2: PROCEEDINGS OF THE FORUM

### 2.1 Introduction

The proceedings of the forum began with an introductory session delivered by Ms. Betty Sungura- Nyabuto, MBS, the Commission Secretary of the NGECE. She invited participants attending both via a virtual and physical platform to the NGECE 10th Anniversary celebrations. She acknowledged the Commission's 10 years of existence and investment in gender equality and freedom from discrimination with a focus on the Special Interest Groups (SIGs). She noted that the 10 years were not only filled with rich history and a resilient spirit but also challenges and vital lessons which are key in forging a way forward in the promotion of gender equality and freedom from discrimination.

The Commission Secretary pointed out that the commemoration under the theme '*Promoting Gender Equality and Freedom from Discrimination for Special Interest Groups*', provided an opportunity to bring together national and county governments, development partners, representatives of special interest groups, civil society organizations, private sector organizations to reflect about the status of gender equality in the past decade. She further recognized all the partners and stakeholders who had faithfully walked the 10-year journey with the Commission.

### 2.2 Brief History of the National Gender and Equality Commission



Dr. Chomba Munyi, Vice-Chairperson of the NGECE gave a brief history of the Commission. The history stems back to 2004 when the Parliament established the National Commission for Gender and Development (NCGD). He noted that NCGD consisted of a chairperson and 17 members and was established to strengthen the national machinery for gender mainstreaming. The NCGD worked closely with the division of gender and later broader Department of Gender and Social Services in the Ministry of Gender, Sports, Culture and Social

Services (MGSC&SS) and was instrumental in monitoring the implementation of the 2000 National Policy on Gender and Development. Dr Regina Mwatha was the last chairperson of the NCGD and was instrumental in the transition phase of the agency into an independent Commission later named the National Gender and Equality Commission.

NGECE is a Constitutional Commission established by the National Gender and Equality Commission Act No. 15 of 2011 under Articles 59(4) and (5) of the Constitution of Kenya (2010). The Commission is a successor Commissions to the Kenya National Human Rights and Equality Commission (KNHREC) established in Article 59 of the Constitution of Kenya. Other Commissions sharing this establishment is the Commission on Administrative Justice (CAJ), and the Kenya National Commission on Human Rights. The NGECE became fully operational in May 2012 with the appointment by the H.E the President Uhuru Kenyatta CGH, of its Chairperson Ms Winfred Lichuma. She was appointed to head the Commission on 19th October 2011. Together with the Commissioners, she established a

lean secretariat that began its operations in October 2012.

The functions of the Commission are derived from Articles 10, 21, 27, 43, 59, 249 of the Constitution of Kenya, 2010 and Section 8 of the National Gender and Equality Commission Act No. 15 of 2011. Since its establishment, the Commission's strategic interventions are guided by a fairly ambitious strategic plan.

The Commission is currently implementing its third strategic plan 2019-2024. This strategy aims at supporting the state achieve substantive and transformative gender equality through the conduct of audits and research, provision of advisories, and documenting of the gaps and opportunities for reducing exclusions and discriminations, and closing gender inequalities. The first strategic plan was implemented between 2013 and 2017. In 2017, the Commission formulated a transition strategic plan for 2017-2018 following an evaluation conducted by Deloitte and Touch. These two strategic plans are aimed at grounding and consolidating the mandate of the Commission for successful implementation.

In 2019, the Commission launched a third strategic plan carrying a new vision namely, *'A society free from gender inequality and all forms of discrimination. The Mission is "To promote gender equality and freedom from all forms of discrimination in Kenya, especially for Special Interest Groups through ensuring compliance with policies, laws and practice"'. The Vision and mission stand on the values of Fairness, Inclusiveness, Teamwork, Accountability and Integrity. This plan builds on the momentum to upscale interventions geared at ensuring the integration of the principles of equality and inclusion in all spheres of life in Kenya. The plan has five-point thematic areas namely: compliance, monitoring and reporting, investigations and redress, public education and mainstreaming, research and knowledge management and institutional capacity.*

In terms of the NGECE leadership, Dr. Chomba noted that since its establishment to date, more than 10 distinguished women and men have been appointed by the President to serve the Commission. He noted that the Commission has a well-established secretariat of 107 staff headed by our Commission Secretary/CEO. The headquarter offices of the Commission are located at Upper Hill in a building called solution Tech Place, on 5<sup>th</sup> Longonot Road. In addition, the Commission has Five (5) regional offices located in Nakuru (covering much of the Rift Valley region), Kisumu (covering Western and Nyanza regions), Garissa (covering North Eastern), Kitui (covering upper Eastern Region) and Malindi (Covering Coastal Region).

In terms of budgetary allocation from the National Treasury, he noted that the budget has increased steadily though disproportionately to our mandate and needs. The budget increased from KES 234M in 2013/2014 to KES 425M in 2020/2021. He also appreciated the expansion of the stakeholder portfolio which included the private sector, not-for-profit agencies, research consortiums and academia.

On identity, the Commission has an emblem carrying a combination of symbols and colours. Purple is a colour for symbolizing women, it signifies justice and dignity, the lime, gold or yellow represents the equality of all special interest groups and the raised hands symbolize the representation of all persons.



### 2.3 The Commission Achievements, Missed Opportunities and Challenges: 2011 – 2021



This session was presented by the Chairperson of NGEK, Dr. Joyce Mutinda. The Chairperson celebrated the pacesetters and trailblazers who have continuously championed gender equality and inclusion in the country. She singled out the following mentors:- Mrs Phoebe Asiyo, the first African chairperson of Maendeleo Ya Wanawake Organization; Prof. Wanjiku Kabira, a distinguished leader of the Women's Movement in Kenya; Prof. Eddah Gachukia, a dedicated educationist and entrepreneur and also the founding Executive Director of the Forum for African Women Educationists (FAWE) and Chairperson of African Women's Development and Communication Network

(FEMNET); the Late Dr. Jane Mumbi Kiano, a former chairperson of the Maendeleo ya Wanawake Organization and also the Vice-president of the National Council of Women; Lady Justice Effie Owuor, a retired judge of the Court of Appeal of Kenya; Prof. Maria Nzomo, a prominent scholar and professor of International Relations and Governance and Director of the Diplomacy Institute; Prof Julia Ojiambo, Dr Naomi Shaban, Dr. Jennifer Riria Group CEO of Echo Network Africa, Hon Martha Karua, Lady Justice Martha Koome, Chief Justice of Kenya, and the President of the Supreme Court and Lady Justice Njoki Ndun'gu.

The Chairperson recognised those who drafted the legal statute that established the NGEK including Ms Catherine Mumma. The Chairperson acknowledged the members of the first set of the Constitutional Commissions and Independent offices, the many lawmakers who sat in the Justice and Legal Affairs Committee or its equivalent in Parliament (before 2013), and more recently (2013-2021). She also recognised former Cabinet Secretaries and Principal Secretaries who served in the Ministries responsible for gender, as well as women Parliamentarians, and women members of County Assemblies who, over the years have advanced women empowerment and gender agenda.

The Chairperson reported that despite the long snaky journey, the Commission had experienced tremendous achievements which included, among others:

1. The review of bills, policies, administrative procedures, and guidelines at the National and County level. The input provided addressed equality and inclusion issues and ensured the rights and freedoms of the most vulnerable population were guaranteed, protected and promoted. The Commission also reviews the language used by drafters to avoid any derogatory terms and phrases in describing the status and needs of SIGs. Between 2013 and 2021, the Commission reviewed and issued memoranda on **320 legal instruments**.
2. Championing for the legislation of the two-thirds gender rule as guaranteed in the Constitution of Kenya 2010, Article 27 (8). The Commission applied programmatic, legislative and court initiatives towards the implementation of the not more than two-thirds gender rule. From 2012 to 2017 the Commission chaired a technical

committee constituted to formulate a framework for the realization of the not more than two-thirds gender principle. In 2018, the Commission published processes, lessons learned and missed opportunities in the efforts toward the development of mechanisms for the realization of this principle. This document has served to inform further efforts and discussions on the matter.

1. Issuance of more than **300 advisories** to government agencies including the County Governments (Executive, and the County Public Service Boards), ministries, departments and agencies including State Corporations on their annual performance in mainstreaming issues of disabilities, gender, youth in plans, budgets, and interventions. Other topical advisories issued included:
  - a) Compliance with the Health Act, no 21 of 2017 requires all employers to support working women to breastfeed at work through the establishment of lactation stations. The advisories were directed to 44 principal secretaries, Kenya Private Sector Alliance, and 14 hospitals including national, county and private sector hospitals.
  - b) The Nairobi Metropolitan Services on infrastructural refurbishments and parking charges in the Central Business District concerning PWDs and the Ministry of Labour and Social Protection on the use of street children in the sorting of garbage for power production
  - c) Selection and appointment of the Independent Electoral and Boundaries Commission (IEBC) commissioners, recruitment of Chief Justice and Judge of the Supreme Court
  - d) The vetting of Judges and Magistrates in Kenya (2013-2016). The advisory was issued to the vetting panel
  - e) State Department for Fisheries, Aquaculture and the Blue Economy on the discriminatory advertisement on the recruitment of trainees as deep diving fish crew
  - f) Speaker of the National Assembly on the discriminatory actions directed to a woman legislator due to lack of establishment of crèche services in Parliament
  - g) Ministry of Health on the inclusion of sign language services during routine public briefings on COVID-19 pandemic: the caseloads, prevention of COVID-19 infections, and availability of services including isolation and quarantine

She noted that most of the advisories by the Commission have led to a review of the discriminatory actions and consideration of the corrective measures to reduce exclusions of SIGs in major opportunities. The Commission has also been involved in:

1. Facilitating national and county governments as well as the private sector in mainstreaming issues of gender, youth, older persons, minority and marginalized groups, in the development and business sector, by providing the above actors with 10 standard guidelines, handbooks, model tools and model instruments, which are key reference materials enumerating processes for integrating gender equality and inclusion in the core functions of the agencies.
4. Development and release of gender equality and inclusion dashboard which provided a summary of minimum indicators and markers of gender equality in Kenya. The scoreboard was institutionalized in 2017 when the Commission launched a report on the levels of gender equality and inclusion at national and county levels, and in the private sector. Data generated by NGEK and from other sources have been



very useful in reporting on the compliance of Kenya with international and regional instruments relating to SIGs.

5. A county inventory of Kenya's minority and marginalized communities, where the Commission recommended that all communities in Kenya whose population is below 0.5% of the national population being classified as a minority. The inventory was considered among other reports in the preparation of the political parties' list for nomination in the 2017 elections.
6. The Commission's admittance to the National Statistical Infrastructural System as a core member of the gender statistical strategy, then allowed the Commission to audit the inclusion and participation of special interest groups (SIGs) in the 2019 Kenya Population and Housing Census. Additionally, NGEK monitored the participation and inclusion of the SIGs as voters, candidates, observers, and sources of elections-related labour in the 2013 and 2017 general elections, several bi-elections and special institutional elections.
7. Conduct a public inquiry on child pregnancies in Kenya. The results of the inquiry were released in 2017 and have in the last 4 years informed national and county policies and strategies on mitigation of child abuse, development of various laws on child-parent care and protection and access to education, contributed to the growing jurisprudence, judicial practices and procedures on child matters, shaped the Commission's investigative role on child inequalities and, informed financing of priority child programs in Kenya.
8. Determining jurisprudence on the matters affecting SIGs, for instance, the Commission is currently finalizing an application for consideration by the High Court, Nairobi Constitutional and Human Rights Division, in the matter of compliance by Parliament with the two-thirds gender principle.
9. Conducting more than **80 audits and investigations** on topical issues and complaints affecting SIGs, which included audits on;
  - a) The flares of marginalization among minority and indigenous communities,
  - b) Access to public transport in Nairobi for persons with limited mobility,
  - c) Audit of the cash transfer program and subsequently audited the participation of orphans and vulnerable children, the persons with severe disabilities, and older members of society to cash transfer programs
  - d) Status of the Child Care Institutions (CCIs) in Kenya
  - e) Gender Equality and Inclusion within the Homes for Elderly Persons in Kenya
  - f) The status of Boy Child in Kenya
  - g) Gender Audit of the Judiciary of Kenya
  - h) Gender Vulnerabilities among Communities Living in the Forest areas of Kenya
  - i) The Economic Burden of Gender-Based Violence in Kenya
  - j) The Participation of Youth in Governance in Kenya

The Chairperson credited these achievements to the special interest groups, the Government of Kenya, the development partners, UN bodies, the media, academia, private sector, among others. She was keen to recognize efforts by UNDP, UNIFEM/ UNWOMEN, UNFPA and Ford Foundation who provided NGEK with the seed fund to develop the first strategic plan, purchase a few vehicles, recruit interns and volunteers, buy and install basic computer items, and participate in learning missions in South Africa,

Norway, UK, and Brazil; as well as seed money to design the initial gender equality and inclusion interventions.

In return, the Commission has supported 15% of the African Countries (Uganda, Tanzania, Zambia, Zimbabwe, Malawi, Sierra Leone, Senegal and Eswatini) to either establish or improve their gender institutional arrangements to a robust, functioning and independent equality commissions/bodies.

The Chairperson, however, noted that the Commission had faced multiple challenges and missed several opportunities: Such include;

- a) The Commission's mandate has been ambiguous to the elite but very clear among the SIGs. This has invited unhealthy debate around overlap of mandate between ourselves and our sister commissions or even with the Ministry responsible for gender. We are a Commission not only responsible for women but 5 other groups as well.
- b) The demand for Commission services has been overwhelming while our reach is inadequate because we are thinly spread out in the country. We would like to serve the SIGs at their locality and therefore in the last few years, we increased our investment in ICT.
- c) Slow in the realization of gender equality-related gains. The realization of gender equality involves a long process running from the basic superficial, classical and traditional forms of equality measured in terms of parity to a higher level of transformative and substantive equality. Few partners have the patience to support the last two miles of equality and therefore the Commission often suffers from inadequate funding and technical support.
- d) Lack of a framework to enforce compliance with gender equality and freedom from discrimination. However, the Commission has remedied this by developing rules and regulations designed to operationalize powers bestowed by the Constitutive Act.

In her concluding remarks, the Chairperson reiterated the Commission's commitment to promoting the rights of all Special Interest Groups in Kenya and called upon all actors both state and non-state, the development partners, women rights defenders, gender practitioners, the media and the private sector to renew their commitment of working together towards accelerating the realization of substantive gender equality and freedom from discrimination.





**Chairperson Dr. Joyce Mutinda presents a commemorative plaque to the H.E Francis Kimemia Governor, Nyandarua County for exemplary services in promoting SIGs issues. The plaque was a token of appreciation issued by the Commission during the Usawa Awards ceremony while commemorating its 10th anniversary**

## **2.4 Progress in Promoting Gender Equality and Women Empowerment in Kenya: Key milestones, Opportunities and Challenges**

The Key Note Speech was delivered by Prof. Margaret Kobia, PhD. The Cabinet Secretary, Ministry of Public Service and Gender

In her keynote address, the Cabinet Secretary (CS), noted that the Ministry was proud to be associated with the National Gender and Equality Commission in the celebration of a decade of active promotion of gender equality, inclusion and non-discrimination in Kenya.



The Cabinet Secretary described her Ministry and the NGEK as ‘non-identical twins’ consisting of an ‘Executive body established through presidency on one hand and the other hand an independent constitutionally established body. These two agencies form the *national gender equality machinery* established under the recommendations made by the 1975 Mexico City World Conference of the International Women’s Year. The recommendation was later affirmed through a guidance note issued by the Commission on the Status of Women in 1988 and 1991, and further, during the

4<sup>th</sup> World Conference on Women held on 15 September 1995 in China. In Beijing, the “*Institutional mechanisms for the advancement of women*” pillar was included as one of the twelve critical areas in the Beijing Platform for Action.

She recognised Kenya as a signatory to international and Regional Treaties and



Conventions on gender equality and women empowerment which include, among others the Commission on Status of Women (CSW), Beijing Platform for Action, The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Sustainable Development Goals (SDGs), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol), The East Africa Community Protocol on Gender Equality and the Generation Equality Forum.

The CS alluded to the Constitution's efforts of promoting gender equality in the Country through Articles 19 to 59 which contain the Bill of Rights, which recognize and protect the human rights and fundamental freedoms of Kenyans, the need to preserve the dignity of individuals and communities, and to promote social justice and the realization of the potential of all. She pointed at Article 27 (8) mandates the State to take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender. She recognised this as an unfinished battle that though NGECE has won several times, the Commission and other stakeholders must continue to ensure the Parliament, Counties, Executive and Judiciary are compliant with this rule as soon as possible.

She however noted that despite this, there have been achievements worth celebrating which include a significant increase of women in leadership and decision-making at the Executive, Judiciary and in elective positions both at the national and county levels. For the first time in the history of Kenya, we have a woman President of the Supreme Court, Chief Justice Martha Koome. In Judiciary, the two-thirds gender rule has been achieved and we are now moving towards parity with 42% of Supreme Court Judges and 50% of Court of Appeal Judges being women. Currently, Women constitute 29.2% (7/24) of all Cabinet Secretaries, 31% of Chief Administrative Secretaries (N=29) are women, and 22.7% of the 44 principal secretaries are women. In elective positions, she noted that the Kenya Parliament is shy of meeting the two-thirds gender threshold which stands at 33.3%. At the County level, there are 2 women governors and 10 deputy governors. The County Assemblies have however fully complied with the not more than two-thirds gender principle but some are yet to comply with the basic requirements in the nomination of PWDs, youth and minority groups.

In addition, the CS reported on Kenya's success in the development of gender-responsive laws that directly seek to protect the rights of women including girls, young women, and women in employment, among other categories of women. She also applauded the Senate and National Assembly for their continuous efforts toward the formulation of pro-gender and pro-poor laws that seek to promote and protect the rights of women and girls, especially those living in difficult situations. Affirmative action programs and affirmative action funds such as the Women Enterprise Fund; UWEZO Fund; The National Government Affirmative Action Fund (NGAAF), have positively impacted women and girls.

Despite these achievements, the CS recognised that there are challenges which range from a high prevalence of the harmful retrogressive cultural practices that disproportionately affect women and girls such as Female Genital Mutilation now predominant in 22 counties; to the patriarchal community structures that are less supportive of women empowerment and autonomy, weak enforcement mechanism of legal and policy instruments designed to protect and promote the rights of women and girls, Gender-Based Violence directed at young girls and also women in intimate relationships, lack of adequate budgets for financing gender equality programs and initiatives, lack of prioritization of gender issues in the development agenda, and lack of sex-disaggregated data to inform gender programs

and policies. She underscored the need for all actors to work together to address these challenges and accelerate the realization of gender equality in our country, and the need for a well-coordinated, multi-dimensional and multi-sectoral approach by actors.

In addition, she assured participants that the Ministry of Public Service and Gender is committed to continuing working together with the National Gender and Equality Commission and other stakeholders to advance gender equality and women empowerment, with a focus on: -

1. Continued protection of the gains the country has made on gender equality including protecting the institutional mechanisms and arrangements established to advance the gender agenda, including protecting the independence of the NGECE and preserving the NGECE mandate;
2. Applying new strategies for increasing representation of women in politics, elections and governance and ensuring that the two-thirds gender principle is realized in the general election outcome due in August 2022;
3. Increase women's participation in labour, digital economy, value chain addition and marketing;
4. Recognize and quantify the contributions of women and girl's unpaid labour to our economy;
5. Advocate for dedicated resource allocation by national and county governments, private sector and development partners to gender agenda;
6. Mentor and support girls to pursue Sciences, Mathematics, Computing, Engineering and Technology courses, and link them to the employment sector (formal and informal);
7. Enforce laws that seek to protect and promote the rights of women and girls; and
8. Eliminate GBV by 2030 and FGM by next year

### **Hon. Eugene Wamalwa, EGH. The Cabinet Secretary, Ministry of Devolution and ASALS**

The Cabinet Secretary lauded the many achievements from NGECE that directly or indirectly



benefit devolution. He for example praised the deep and rich content of the NGECE publication containing an inventory of minority and marginalized groups in Kenya disaggregated by Counties-Unmasking minority and marginalized communities.

He encouraged the Commission to continue updating the inventory with a focus on documenting any progress Kenya is making in reducing the levels of marginalization and gender gaps.

The CS is committed to supporting counties to domesticate the various model guidelines, policy and legislative frameworks the NGECE has developed, namely: County Policy and Legislation Framework to Respond to, Prevent and Manage Gender-Based Violence; The Persons with Disability Model Legislation; The Gender Mainstreaming Guidelines; and also establishing the Equality and Inclusion Technical Working Groups (EITWG) in the remaining 21 counties in Kenya. So far 26 counties have a functional EITWG.



## Zubeida Rose Kananu; Vice-President, Kenya Editors' Guild and News Anchor KTN

In delivering her speech, Ms. Kananu anchored on giving voices to the voiceless survivors and victims of human rights violations and Gender-Based Violence. She assured the audience that the media would continue giving prominence to the gender debate, and continually improve their productions to ensure minority groups get credible information. She noted that this will be achieved by ensuring the provision of Sign Language Interpretation (SLI) services and by giving the PWDs a platform to air their opinions. In addition, she informed the audience that there is ongoing gender training in all Media Houses to sensitize media practitioners on gender-sensitive reporting.

### 2.5 NGEK Beyond 10 Years: Summary of the Unfinished Business and our Next Steps



Commissioner Hon. Priscilla Nyokabi stated that there was the need to appreciate that the country is still grappling with challenges of unequal access to Economic Cultural and Social Rights (ECOSOC) despite the express provisions in Article 43 of the Constitution.

Inequities in education, lack of dignity kits, access to sexual and reproductive health rights for women, inadequate access to social assistance, lack of access to decent housing, potable water or even energy to light and cook. She noted that women continued to suffer

from disinheritance and denial of ownership and control of the factors of production, discrimination in employment, deliberate exclusion of women and special interest groups in governance and decision-making levels, exposure to sexual and other forms of gender-based violence, harmful retrogressive cultural practices such as female genital mutilation (FGM), child marriages and child labour.

She urged the audience to continue addressing these gaps and restated the Commission's commitment to relook at:

1. The Law of Succession and advise Parliament on the need to overhaul the Act;
2. Laws to protect the rights of children living with incarcerated mothers;
3. Laws on the rights of children, where the Children's Bill 2021 should be made very comprehensive to contain and carry all necessary provisions;
4. Sexual Offences Act to include with clarity provisions on *Romeo and Juliet* to protect the rights of children in conflict with sexual offences but whose age difference is about 2-5 years;
5. Policies and guidelines on the operations of the Education Assessment and Resource Centres (EARCs) to ensure the education rights of children with special needs are not violated by principals and teachers of the schools they are posted;
6. Affirmative action programs and its associated administration guidelines to deter for example appointment of the board consisting of one gender on the excuse that other gender or PWD or minorities never applied for consideration;
7. The laws to enforce the two-thirds gender principle in Parliament, application of opposite gender rule in elective positions for example a female governor must choose a male running mate etc.;



1. Removal of constitutional silences and propose express provisions for Parliament to consider to ensure all rights of SIGS are guaranteed and fulfilled;
2. Review of the Public Finance Management Act (2012) to allow the National Treasury to call and receive a certificate of clearance from the National Gender and Equality Commission confirming that the agencies seeking funding from the government have complied with the gender requirements and have in the past financial year demonstrated their investment on gender agenda.
3. Article 100 of the Constitution on the adequate representation of PWD, youth, minority and marginalized groups and women in Parliament as well as regulations on the development of the political party lists;

She noted with concern that as of 2020,

1. 17 County Assemblies had no persons with disabilities nominated
2. 20 County Assemblies had only one (1) PWD nominated
3. 4 County Assemblies had no youth nominated
4. 17 County Assemblies had one (1) nominated youth
5. In the Executive arm of the County Governments, there are more women County Executive Committee members being replaced with men upon losing their seats for various reasons.

The Commissioner reported that the Commission has the opportunity to reposition itself along with different themes which include;

1. Venture into additional thematic issues with the greatest contributions to inequalities for example climate change and management, cybercrime, the radicalization of youth, transport, energy sector where SIGs spend lots of money on the most unclean power and energy etc.;
2. Vigilance in ensuring compliance with the integration of the principles of gender equality, inclusion and freedom from discrimination through consistent and regular audits, preferably every two years we must complete a national level audit;
3. Strengthening the Commission's coordination role and partnerships through the establishment and strengthening of existing equality and inclusion technical working groups in all the 47 counties;
4. To grow partnerships: The Commission should reach out to foundations, philanthropists, CSOs, the private sector, and UN agencies such as UNICEF, UNEP, World Food Organization, and World Bank;
5. Forge stronger working partnerships with the counties through the Council of Governors and the County Assembly Forum to ensure the institutionalization of gender equality and freedom from discrimination. Each county must have a gender unit or SIGs unit where planning, budgeting, spending and accountability on matters of youth, women, PWD, and children occur. Such a model can be replicated in the private sector;
6. Lay a strong mechanism for handling complaints through the conduct of hearings, holding summons, investigations, and making determinations that can be filed in the High Court as well as supporting the Judiciary in monitoring compliance with judgments, declarations and determinations related directly to equality and inclusion. It envisaged that this strategy shall reduce most of the unnecessary court backlog on matters of discrimination and inequality;
7. Take leadership in the establishment of a functional regional institutional framework for coordinating equality and inclusion commissions and agencies in Africa for a regular colloquium to discuss critical matters of equality and inclusion affecting Africa;
8. Increase regional presence and scale up NGECS visibility

9. Continue to contribute to the reporting and providing data to international and regional normative instruments on equality and freedom from discrimination against special interest groups.

However, to achieve this, she submitted that the Commission would require;

- a) Political goodwill from the ruling party, opposition and political elite as there is no other way around it. She invited the country to draw lessons from countries such as Uganda, Rwanda and South Africa.
- b) Increased financing and budgetary allocation for gender equality and issues affecting special interest groups.
- c) Embrace accountability mechanisms for gender equality such that Government Ministries, Counties, Departments and Agencies (MCDAs) access resources based on compliance with Constitutional and statutory requirements.
- d) Kenya to ratify optional protocols where earlier there were reservations.
- e) Strengthen the utilization of gender statistics in informing the design, scale-up, and evaluation of Gender equality and inclusion programming

## 2.6 Recognition of Individuals, Institutions who had made Outstanding Contributions in Promoting Gender Equality and Freedom from Discrimination (USAWA Awards)

During the commemoration, a total of 80 individuals, counties, and institutions who had made an outstanding contribution to promoting gender equality and social inclusion were awarded certificates and commemorative plaques. The determination of the winners followed a rigorous process of identifying winners from various categories. A call for the nomination was shared with county technical working groups, the network of NGEK stakeholders, and through the NGEK website and social platforms.

A panel of eminent judges drawn from various institutions including The State Department for Gender, The National Council for Persons with Disabilities, The Council of Governors (secretariat), non-state actors represented by the Centre for Rights Education and Awareness (CREAW Kenya), GROOTS Kenya, and Indigenous Livelihood Enhancement Partners (ILEP). The panel reviewed the applications and awarded different individuals, counties, institutions and also agencies. These included;

- a) The Ministry or government agency that has mainstreamed gender and inclusion in their core business,
- b) The best equality and inclusion technical working group,
- c) Most promising equality and inclusion initiative,
- d) The CSO has consistently promoted and protected the rights of special interest groups among others.

The recognition served as the inaugural USAWA Awards. The USAWA awards are an incentive scheme envisioned in the NGEK strategic plan to recognise institutions, persons or groups of individuals that have excelled over time in promoting gender equality and inclusion.

In the inaugural USAWA award program, agencies and individuals were feted on either one or more of the following dimensions;

- (a) **Accessibility/Infrastructure** that promotes equality and inclusion (applicants needed to show evidence for example through pictures, video links, drawings,



testimonials etc.)

- *Existence of disability-friendly facilities and infrastructure including ramps, lifts within the buildings, toilets, brailled machines and/or brailled documents, presence/ dedicated employment of sign language interpreter(s) and parking zones*
  - *Existence of lactating rooms*
  - *Accessibility to services especially in the remote parts of the county*
  - *Existence of safe houses/rescue centres*
  - *An operational complaint reporting and response handling mechanism on gender-based violence and sexual harassment for employees*
  - *Programs on management and control of Covid 19 with a special focus on SIGs*
- b) Demonstrate investments in an innovative project that is addressing the needs and impacting the lives of any Special Interest Groups among them Children, Women, Youth, Persons with Disabilities, Older Members of the Society, and Minority and Marginalized Groups/communities. More specifically:
- *Demonstrate the existence of unique projects targeting promoting and improving the lives of SIGs including scholarships, bursaries, nutrition/feeding programs for needy children, ICT incubation Centres for youth, youth-friendly reproductive health services, maternity facilities, and correctional services facilities among others*

The overall winners received a certificate and an engraved plaque. The declared winners were:

OVERALL	(Plaque and White Certificate)
Policare (Nairobi)	Awarded as one of the promising integrated service models (one-stop centre) for response and management of Sexual and Gender-Based Violence by the National Police.
H.E. Adelina Mwau Deputy Governor Makueni County	Awarded for outstanding effort in ensuring inclusive local democracy that involves women and men in leadership and decision-making.
Christine Kandie	Awarded for championing indigenous women's land rights and the rights of persons with disabilities.
Kisumu County	Awarded for enhancing access to services to Persons with Disabilities and Older Members of the Society
Nyandarua County	Awarded for establishing a Gender-Based Violence response desk in every sub-county and offering optimal dignity to the elderly even during times of COVID-19.
Moving The Goal Posts (Kilifi)	Awarded for educating and mentoring vulnerable teenagers and young mothers on sexual and reproductive health rights, hygiene and sanitation
Njeri Migwi	Awarded for exemplary services in promoting equality and inclusion of special interest groups with a focus on rehabilitation and reintegration of the needy into the wider society.
Makueni County	Awarded for being the very first county to establish and operate a shelter for GBV survivors offering a myriad of services
Tharaka Nithi County	Awarded for being the very first county to establish a baby nursery (Crèche) for women traders in the Chuka market

Blink (Blind & Low Vision Network)	Awarded for promoting and ensuring representation and participation of PWDs in devolved governance processes
H.E. Governor Hon. Kiraitu Murungi	Awarded for exemplary services in promoting equality and inclusion of special interest groups
Nairobi County	Awarded for the comprehensive (vertical and horizontal) integration of GBV services in most of the level 1 to level 4 the health facilities
Garissa County	Awarded for rescuing girls from cultural harmful practices (FGM and Early Marriage)
Elijah Mwega	A champion and an advocate of the rights of older members of society. He has established feeding programs for older persons during times of COVID-19
Bungoma County	Awarded for enhancing accessibility and affordability of services to Persons with Disabilities and Older Members of the Society
Laikipia County	Awarded for rescuing girls from cultural harmful practices (FGM and Early Marriage) and providing school-going girls with dignity kits
Vihiga County	Awarded for innovative strategies toward ensuring equity in access to services among Persons with Disabilities and Older Members of the Society
Sauti Ya Wanawake Pwani	Awarded for championing women's and children's rights at the community level
Tom Onzere	Awarded for exemplary services in promoting equality and inclusion of special interest groups
Bomet County	Awarded for establishing a fully equipped modern film hub centre to build filming skills among youth

Other winners are:

<b>1<sup>ST</sup> RUNNERS UP (White Certificate)</b>	<b>2<sup>ND</sup> RUNNERS UP (Golden Certificates)</b>
Dianah Kamande	Fredrick Nyaga
Dorcus Parit Hsc	Gladys Chania
Moraa Obiria	Mumbi Muguongo
Purity Elderly Care Foundation	Samburu Wellbeing Initiative For All
Kakamega County	Wajir County
Deaf Outreach Programme	Andy Speaks For Special Needs Persons
Buya Mukonzo	Videliz Njoki Njuguna
Robert Mwangi	Edwin Chahilu
Taita Taveta Youth Alliance	Social Justice Centre's Working Group
Embu County	Tana River County
Usikimye Organisation	One More Day For Children Foundation
Ageing Concern Foundation	Northern Nomadic Disabled Persons Organization
Chege Lydia	Sammy Wanjala Mwanja
Galgallu Rose Huka	Tabitha Rutere



Kajiado County	Kilifi County
Taita Taveta County	Isiolo County
Action For Children In Conflict (Afcic)	Action For Children With Disabilities Society
Tumaini Hands Mission	Set Free To Thrive
Respekt	Badili Africa
Hellen Gathogo	Purity Gikunda
Saoyo Tabitha Griffith	Sheila Jephumba Sabaya
Kiambu County	Nandi County
Marsabit County	Lamu County
United Disabled Persons Of Kenya	Empower Her Initiative
Hope Beyond Foundation	Light For The World
Chepkorir Rose	Rosemary Nasimiyu
Steve Ngigi Nyaga	Mvera Kazungu
Ashura Michael	Muna Ahmed
Mombasa County	Siaya County
Meru County	Turkana County

## 2.7 Launch of NGEK Publication

During the commemoration, the Commission used the opportunity to launch and disseminate key publications that had been developed between 2020-2021.



The publication launched were:

- i. A Scorecard for the evaluation of progress made by the State in the implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol scorecard)
- ii. Guide for County Government Leadership: Integration of Gender Equality, Inclusion in County Development.
- iii. The 2019 Kenya Population and Housing Census: An Observation Report of the

## National Gender and Equality Commission: Emerging Issues, Gaps, Good Practices and Recommendations

- iv. Equality and Inclusion of Refugees in Kenya: A Mission to Kakuma Operation Centre and Kalobeyei Integrated Socio-Economic Development Settlement Program in Turkana County
- v. An Introduction of Gender-Based Violence in Emergencies (GBVIE).
- vi. The Socialization Agent's Educational aid materials
- vii. Monitoring Tool for Assessing Compliance with Concluding Observations and Recommendations Issued to The Government of Kenya Under CEDAW, CRC and CRPD: A Colour Scheme Score Card



## PART 3: CONCLUSIONS AND RECOMMENDATIONS

### 3.0 Conclusions

The reflections on the NGEK ten-year journey illuminated key milestones the commission had made in gender equality and freedom from discrimination, some strategies that worked well, emerging inequalities that may require new strategies and innovations, and opportunities that NGEK has in closing the gender gaps in various sectors. The Commission is a reference body on matters of gender equality and freedom from discrimination. Although the Commission has also plotted a pathway to reducing gender inequalities, it has also enumerated key incentives and resources required to achieve reduced gender gaps and reduced levels of exclusion, especially for SIGs in development.

With adequate funding, supportive political and social capital, and inclusive participation of duty and rights holders, it is possible to significantly reduce inequalities.

### 3.1 Recommendations

#### 3.1.1 National Government

1. Ensure allocation of adequate resources to gender agenda in Kenya
2. Protection of the gains the country has made on gender equality including protecting the institutional mechanisms and arrangements established to advance the gender agenda, including protecting the independence of the NGEK and preserving its mandate

#### 3.1.2 Parliament

3. Formulate legislation of articles 100 and 27 (8) on the 2/3 gender principle as envisioned in schedule 5 of the Constitution of Kenya, 2010
4. Fast-track and review existing laws to ensure the entrenchment of principles of Equality and Inclusion including Review of the Children's Act of 2001, and amendments to Sexual Offences Act (SOA) 2006 to address the new phenomenon of consensual sex between minors.
5. Legislative enforcement mechanisms for non-compliance with gender and inclusion principles

#### 3.1.3 Ministries, Counties, Department, and Agencies (MDCAs)

1. Adherence with existing legal and policy frameworks on gender equality and inclusion
2. Put in place the necessary policy frameworks and support mechanisms including gender-friendly workspaces that promote the inclusion of women and other special interest groups

#### 3.1.4 Private sector

1. Increase women's participation in labour, digital economy, value chain addition and marketing opportunities;
2. Mentor and support girls to pursue Sciences, Mathematics, Computing, Engineering and Technology courses, and link them to the employment sector (formal and informal);
3. Support the state with the laws and policy frameworks on equality and inclusion

### 3.1.5 Media

1. Champion for the promotion of gender equality and inclusion in Kenya
2. Change the narrative to support the society denounce cultural practices, for example, FGM
3. Champion for the elimination of Gender-Based Violence

### 3.1.6 Development Partners

1. Support and dedicate more resource allocation to the gender agenda
2. Support the Government agenda to eliminate GBV by 2030

### 3.1.7 Civil Society Organisations, Faith-based organisations

- a) Complement government interventions towards promoting gender equality and freedom from discrimination
- b) Support with awareness creation through community sensitization and public education
- c) Advocate for increased representation of SIGs in leadership positions

### 3.1.8 National Gender and Equality Commission (NGEC)

1. Monitor and advise on compliance with existing legal and policy frameworks on gender equality and inclusion
2. Coordinate and facilitate public education programmes for Special Interest Groups
3. Conduct research on topical issues affecting special interest groups: Gender and corruption, Gender and Green Energy; Promotion of inclusive transport among others
4. Strengthening coordination role and partnerships through establishment and strengthening of existing equality and inclusion technical working groups in all the 47 counties;
5. Grow partnerships and forge stronger working collaboration with the counties through the Council of Governors and County Assembly Forum to ensure the institutionalization of gender equality and freedom from discrimination.;
6. Develop and operationalize the regulations to facilitate the handling of complaints on all matters of equality and inclusion
7. Increase our county presence and scale up our visibility
8. Take leadership in the establishment of a functional regional institutional framework for coordinating equality and inclusion commissions and agencies in Africa. The regional agencies would for a pre-determined period hold an equality and inclusion colloquium to discuss critical matters of equality and inclusion affecting Africa;



**ANNEXES:****1: The Program**

NGEC AT 10 ANNIVERSARY CELEBRATIONS  
*'Promoting Gender Equality and Freedom from Discrimination for  
 Special Interest Groups' #NGECat10*



Kenya School of Government, Lower Kabete

Date: 30<sup>th</sup> August 2021

**9.30a.m to 1p.m**

**Overall Moderator:** Betty Sungura-Nyabuto, MBS. Commission Secretary/ CEO, NGEC

TIME	ACTIVITY
9:30 am –10:00 am	Anthems/Prayer Webinar Etiquette Rules Acknowledgement of VVIP/VIPs
10.00. am -10. 15a.m (5 Minutes each)	<b>Welcome Remarks</b> <ol style="list-style-type: none"> <li><b>Betty Sungura-Nyabuto, MBS.</b> Commission Secretary/ CEO, National Gender and Equality Commission.</li> <li><b>Commissioner Dr Chomba Munyi (PhD)</b> Vice-chairperson, National Gender and Equality Commission</li> </ol>
10.15a.m-10.20a.m	<b>Interlude 1</b> -Communications
10.20am-10. 30a.m (10 Minutes)	<b>Opening Remarks</b> <b>Dr. Joyce M. Mutinda, (PhD)</b> Chairperson National Gender and Equality Commission
10.30a.m-10.35a.m	<b>Interlude 2:</b> Communications

10.35a.m-11. 10a.m (5 Minutes each)	<p>a) <i>Representatives of the Pioneers of Gender Equality and Women Empowerment Programs: The Trailblazers</i></p> <p><b>Prof Wanjiku Kabira</b> Professor of Literature at the University of Nairobi and Director of the African Women Studies Centre, University of Nairobi</p> <p>b) <i>The Establishment of the National Gender and Equality Commission</i></p> <p><b>Dr. Regina Mwatha</b> Pioneer Chairperson of NGECC, Senior Lecturer and Project Leader Initiative on what works for Women's Economic Empowerment Kenyatta University</p> <p>c) <i>Representative of the Civil Society Organizations</i></p> <p><b>Ms. Jakie Mbogo*</b> The Chief of Party, Tetra Tec International Development REINVENT PROGRAM</p> <p>d) <i>Representative of the Private Sector</i></p> <p><b>Ms. Eva Muraya</b> Gender and Youth Sector Board and Director Gender and Small and Medium Enterprises Kenya Private Sector Alliance</p> <p>e) <i>Representative of the Media</i></p> <p><b>Ms Zubeida Kananu Koome</b> Vice-President, Kenya Editors' Guild and News Anchor KTN</p> <p>f) <i>Representatives of the Gender Donor Working Group</i></p> <p><b>Ms. Irene Giribaldi</b> Head of Cooperation Gender Donor Working Group Delegation of the European Union to Kenya.</p>
11.10a.m-11.15a.m	<b>Interlude 3. Communications</b>
11.15a.m-11. 40a.m (5 minutes each)	<ol style="list-style-type: none"> <li><b>Mr. Gershom Otachi</b> Chairperson, National Land Commission and Chairperson of Constitutional Commissions and Independent Offices</li> <li><b>Sen. Masitsa Naomi Shiyonga</b> Chairperson The Committee on National Cohesion, Equal Opportunity and Regional Integration, Senate</li> <li><b>Hon. Gathoni Wamuchomba</b> Women Representative, Kiambu County and Chairperson, Kenya Women Parliamentary Association (KEWOPA)</li> </ol>
11.40a.m-11.45a.m	<b>Interlude 4: Communications</b>



11.50a.m-12.20p.m	<b>Key Note Address and Official Launch of the NGECE @10 Celebrations and Publications</b> Prof. Margaret Kobia, PhD, MGH Cabinet Secretary, Ministry of Public Service and Gender <i>(Award Category 1 and Category 2)</i>
12.20p.m-1.00p.m	<b>The Award Ceremony</b> a) Award category 3 <b>H.E. Anne M. Waiguru, EGH OGW</b> Governor of Kirinyaga County and Chairperson Gender Committee, Council of Governors (CoG).  b) Award Category 4 <b>Hon. Eugene Wamalwa, EGH</b> Cabinet Secretary, Ministry of Devolution and ASALs  c) Award Category 5 <b>Ms Maureen M. Mbaka</b> Chief Administrative Secretary, State Department of ICT, Broadcasting and Telecommunications Ministry of ICT, Innovation and Youth Affairs  d) Award Category 6 <b>Mr. Nelson Marwa Sospeter, EBS</b> Principal Secretary, State Department of Social Protection, Ministry of Labour and Social Protection
1.00p.m-1.10p.m	<b>NGECE beyond 10 years: Summary of the unfinished business and our next steps</b> Hon. Priscilla Nyokabi Kanyua, Commissioner
1.10p.m-1.20p.m	<b>Vote of Thanks</b> <b>Dr. Chomba Wa Munyi (PhD)</b> Vice Chairperson, National Gender and Equality Commission.
1.20p.m	National Anthem, East African Anthem
1.30p.m	<b>Departure</b>

*\*virtual participation*



## **National Gender and Equality Commission**

1<sup>st</sup> Floor, Solution Tech Place, 5 Longonot Road, Upper Hill, Nairobi

P.O BOX 27512-00506

Nairobi, Kenya

Landline: +254(020)3213100

Mobile: +254 (709)375100

Toll-Free: 0800720187

SMS: 20459

Website: [www.ngeckkenya.org](http://www.ngeckkenya.org)

Twitter: @NGECKENYA

Facebook: [www.facebook.com/NGECKKenya](http://www.facebook.com/NGECKKenya)