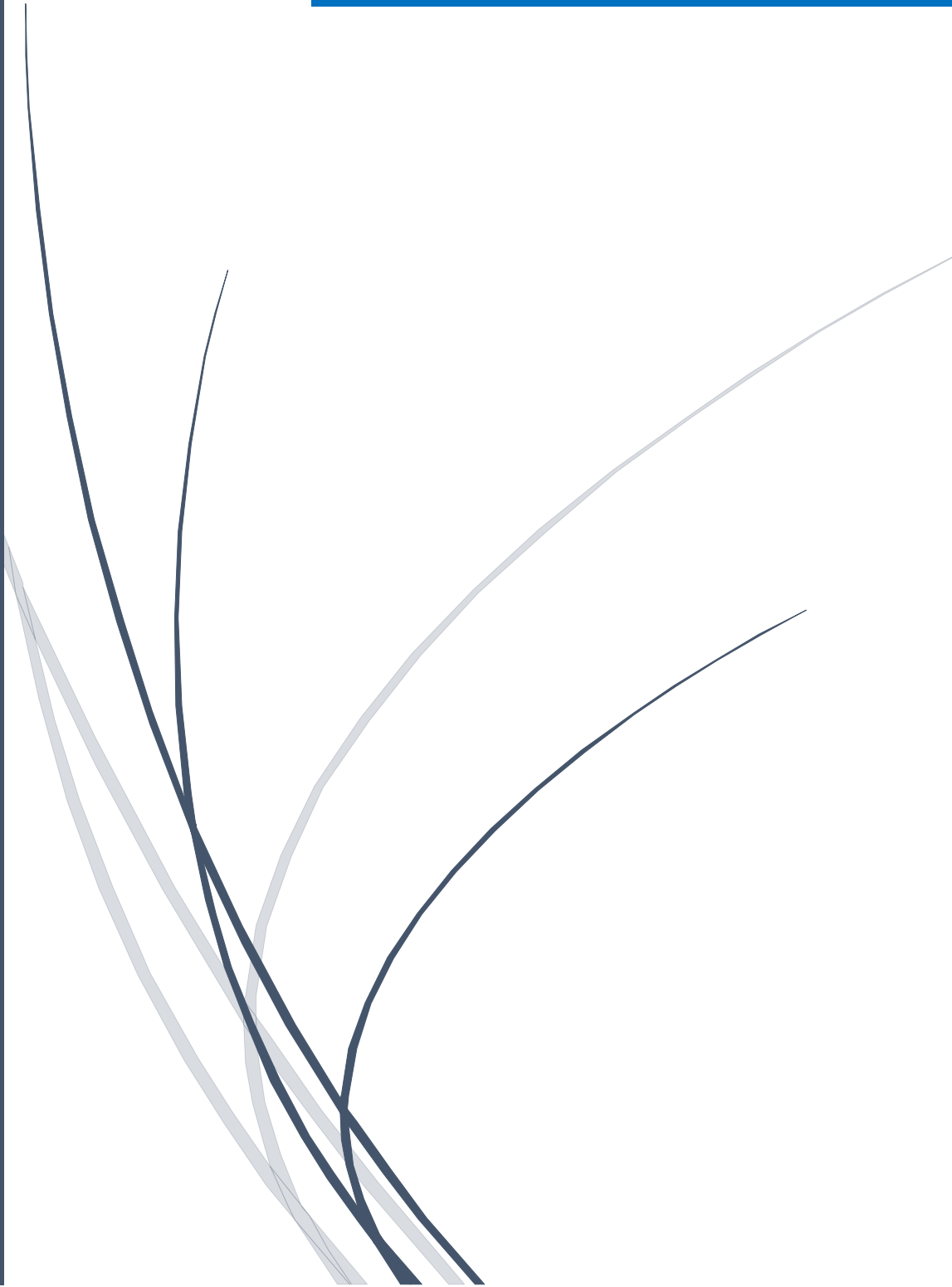


2023

**GENDER
MAINSTREAMING POLICY.
COUNTY GOVERNMENT OF BUNGOMA**



COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF GENDER, CULTURE, YOUTH & SPORTS

GENDER MAINSTREAMING POLICY 2023

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LIST OF ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
AU	African Union
BPFA	Beijing Platform for Action
BUCOWEF	Bungoma County Women Empowerment Fund
CEDAW	Convention on Elimination of all forms of Discrimination Against Women
CIDP	County Integrated Development Plan
CoK	Constitution of Kenya
FGM/C	Female Genital Mutilation and Circumcision
GAD	Gender and Development
GBV	Gender Based Violence
GTC	Gender Technical Committee
HIV	Human Immuno-Deficiency Virus
KIPPRA	Kenya Institute of Public Policy Research and Analysis
KNASP	Kenya National AIDS Support Programme
KNCR	Kenya National Census Report
MTEF	Medium Term Expenditure Framework
MTP	Medium Term Plan
NASCOP	National AIDS & STI Control Programme
NEPAD	New Partnership for Africa's Development
NGO	Non-Governmental Organization
SAGAS	Semi-Autonomous Government Agencies
UNESCO	United Nations Education, Scientific and Cultural Organization

DEFINITION OF TERMS

Access	Obtain resources, benefits, information, decision-making as is influenced by acceptable gender and the established gender division of labor
Affirmative Action	Includes any measure designed to overcome or ameliorate an inequity or the systematic denial or infringement of a right or fundamental freedom
Empowerment	A process through which men, women, boys and girls acquire knowledge, skills and attitudes to critically analyses their situation and take appropriate action to change the status quo of the underprivileged and other marginalized groups in society
Gender	This refers to the socially and culturally constructed roles that differentiate men from women; as distinct from sex which refers to their biological differences. The social constructs vary across cultures and time
Gender analysis	This identifies, analyses and informs action based on gender. It addresses inequalities that arise from the different roles of men and women; the unequal power relations between them; and other contextual factors like: ethnicity, sexual orientation, employment, citizenship, etc.
Gender awareness	This is the understanding that there are socially determined differences between men and women based on learned behavior, which affect ability to access and control resources
Gender-Based	Refers to any act of violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, girls, boys and men on the basis of gender
Gender Discrimination	Refers to unequal or preferential treatment of individuals or groups on the basis of their gender that results in reduced access to/ or control of resources and opportunities
Gender Equality	Refers to the equal treatment of women and men, girls and boys so that they can enjoy the benefits of development including equal access to and control of opportunities and

	resources
Gender Equity	Refers to the practice of fairness and justice in the distribution of benefits, access to and control of resources, responsibilities, power, opportunities and services
Gender Indicator	An indicator is a measurement of change over time. It is also a signal of a change. The change may be measured in terms of quantity, quality and timeliness. A gender indicator is that which is sex-disaggregated, specific, logical, realistic, relevant, valid and sensitive
Gender Mainstreaming	Is the consistent integration of gender concerns into the design, implementation, monitoring, and evaluation of policies, plans, programmes, activities and projects at all levels
Gender needs	Arise from the four components cited above. Since men and women have different gender roles, do different types of work, have different degrees of access to services and resources, and experience unequal relations, the needs of men and women are different. The practical and strategic gender needs concepts are used to identify and address gender needs
Gender parity	This is a numerical concept referring to equal number of girls and women, boys and men relative to their respective numbers in the population
Gender sensitivity	This is the ability to perceive existing gender differences, issues and equalities, and incorporate these into strategies and actions
Gender stereotyping	The assigning of roles, tasks and responsibilities to a particular sex on the basis of pre-conceived social prejudices
Participation	A general term used to refer to enrolment, retention, progression, performance and transition
Patriarchy	It means 'Rule of father' and refers to the current male dominated social relations, ownership and control of power at many levels in society. It is thought to be the root cause of the existing system of gender discrimination
Power relations	Refers to capacity of individual or group to initiate action and

determine outcomes which change existing social, political and economic systems and norms, to equalize gender relations

Provisions

Refers to policy pronouncements on action to be taken

Sex disaggregated

Classification of information on the basis of sex i.e. male data and female

Sexual harassment

Unwanted acts of sexual nature that cause discomfort to the harassed. They include words, persistent request for sexual favours or dates, gestures, touching, uninvited sexual overtures, coerced sexual intercourse and rape

Strategic interests

Refer to long term non-material needs. They focus on getting more choices, more options and more say

FOREWORD

Gender Mainstreaming remains one of the hallmarks of the Beijing Platform for Action. It has not only improved the economic and social welfare of the women in Kenya but has also improved governance as women are now part and parcel of decision making process. The Constitution of Kenya creates a platform for gender equality and nondiscrimination. It also provides a fresh impetus for a national policy to chart a roadmap for the attainment of the constitutional provisions. Article 10 of the Constitution is on the National Values and Principles of governance. It highlights such principles as equality, equity, inclusiveness and non-discrimination. These principles provide an anchorage for gender equality. Further, Article 27 (1) provides that every person is equal before the law and has the right to equal protection and benefit; Article 27 (3) provides that women and men have the right to equal treatment including the right to equal opportunities in political, social, economic and cultural spheres.

It is from the above thinking that the County Government of Bungoma (CGB) through the Department Gender, Culture, Youth and Sports that we undertook Design Develop and Formulate a Standard Bungoma County Gender Mainstreaming Policy 2023 in response to the changes that have taken place in the recent past. As much as we recognize the fact that Kenya has already made great strides in gender mainstreaming, it is the resolve of the State Department to ensure that efforts are stepped up to achieve better results. This policy shall enhance the gender management skills of staff in all CGB departments and also raise the general level of gender awareness which include working to change attitude and behavior of the general public and citizenry. It therefore directs the manner in which we shall conduct our daily business at the work place and calls for a coherent approach in its implementation in order to make it a reality.

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ACKNOWLEDGEMENT

We are grateful to **H.E the Governor Kenneth Lusaka** for providing exemplary leadership and clear development direction articulated in this policy. We wish to recognize our **CECM** for her leadership, the **Directors** for their administrative contributions during the process and all the other staff of the department for their technical backstopping in developing this policy document. We thank the team of consultants, the **Departmental Technical Management Committee (TMC)**, **County Technical Working Group (CTWG)** and the departmental stakeholders including the public for a job well done in the **Designing Development and Formulating the policy**. The Policy shall be implemented to achieve Sustainable Development Goal of Target 5 to achieve gender equality and empower all women and girls. These include:

- I. End all forms of discrimination against women and girls everywhere.
- II. Eliminate all forms of violence against women and girls in the public and private spheres, including trafficking, sexual and other types of exploitation
- III. Eliminate harmful practices, such as child, early and forced marriage and Female Genital Mutilation
- IV. Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate
- V. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making including political, economic and public life Target
- VI. Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences

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CHAPTER ONE: INTRODUCTION

1.1 Background Information

Following many years of struggle, debates and advocacy at international, regional and national levels, the importance of and the need to promote gender equality - both as a human rights principle and a development imperative - are now well-recognized international norms. And while many nations have committed themselves to the goal of promoting gender equality in compliance with various international instruments, treaties and protocols, and notwithstanding considerable strides that have been made towards achieving this goal, gender inequalities and injustices remain pervasive at all levels of society around the world, especially in developing countries such as Kenya. Like in many sub-Saharan African countries, the social structures and cultural norms in many Kenyan communities - the majority of which are patriarchal - enforce gender inequalities and unequal power relations between men and women, which generally favour men over women. Men traditionally occupy higher social status, and compared to men, women command limited ownership of:

- I. Access to and control over property and productive assets; are disadvantaged in accessing educational and training opportunities;
- II. Are underrepresented in the formal employment sector within which they are, in any case, concentrated in lower ranks;
- III. Suffer discrimination at the workplace;
- IV. Are not effectively involved in decision-making and governance structures;
- V. Home-keeping and care giving responsibilities increase their work burdens.
- VI. Harmful cultural practices, poverty and conflict have also exposed men and women to various forms of gender-based discrimination and violence.

Although a number of laws have been enacted over the years to redress gender inequality in Kenya, inequalities between men and women and gender-based injustices have persisted as entrenched discriminatory gender ideologies and social norms have tended to endure. The Constitution of Kenya (2010) has especially been hailed as one of the most progressive constitutions in the world, partly on account of how it addresses gender and human rights issues.

The national Gender Policy (2011) was developed to provide a policy framework on how to address gender issues and actualize constitutional provisions on gender equality and non-discrimination. However, the need to adapt the policy to different local contexts in recognition of regional and local variations in socio-cultural practices across the country cannot be gainsaid. Hence the need for a gender policy for Bungoma county.

1.2. The global, regional and local Context

1.2.1 International Legal Frameworks and Initiatives

Kenya has ratified seven of the nine main global human rights instruments: International Covenant on Civil and Political Rights (“ICCPR”) and the International Covenant on Economic, Social and Cultural Rights (“ICESCR”), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT), and the Convention on the Rights of the Child (CRC) which all have gender equality imperatives as a state obligation. Kenya has also been party to other international initiatives that have drawn attention to the need for gender equality such as the Vienna Declaration on Human Rights, the Beijing Platform for Action, the International Conference on Population and Development (ICPD), the Millennium Declaration and Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs). All these treaties and initiatives have influenced the National Policy on Gender and Development. The fifth SDG is a stand-alone development goal on gender equality and women’s empowerment is characterized by the following targets:

- I. End all forms of discrimination against women and girls everywhere
- II. Eliminate all forms of violence against women and girls in the public and private spheres, including trafficking, sexual and other types of exploitation
- III. Eliminate harmful practices, such as child, early and forced marriage and Female Genital Mutilation
- IV. Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

- V. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making including political, economic and public life
- VI. Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences

1.2.2 Regional Legal Frameworks

Regionally, Kenya has ratified the African Charter on Human and Peoples' Rights, and the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (2005). Kenya has also ratified the Convention governing Specific Aspects of Refugee Problems in Africa, the African Charter on the Rights and Welfare of the Child and the Maputo Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa albeit with reservations on article 10 (3) and 14 (c).¹ Other regional instruments that Kenya has adopted include the African Union Agenda 2063 and the Solemn Declaration on Gender Equality in Africa.

1.2.3 National Policies and Legislation

The Constitution of Kenya creates a platform for gender equality and non-discrimination. It also provides a fresh impetus for a national policy to chart a roadmap for the attainment of the constitutional provisions. Article 10 of the Constitution is on the National Values and Principles of governance. It highlights such principles as equality, equity, inclusiveness and non-discrimination. These principles provide an anchorage for gender equality. Further, Article 27 (1) provides that every person is equal before the law and has the right to equal protection and benefit; Article 27 (3) provides that women and men have the right to equal treatment including the right to equal opportunities in political, social, economic and cultural spheres. The Constitution also outlaws discrimination on any basis including, pregnancy, race, sex, marital status, health, ethnicity or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth in Article 27 (4). To realize these ideals, the Constitution in Article 27 (6) requires the government to take legislative and other measures including

affirmative action to redress disadvantages suffered by individuals and groups because of past discrimination. Article 27 (8) requires that not more than two thirds of the members of elective or appointive bodies are of the same gender.

This policy builds on the National Policy for Gender and Development of 2019, and Sessional Paper No. 2 of 2006 on Gender Equality and Development which envisaged women empowerment and mainstreaming the needs of women, men, girls and boys in all sectors of development in Kenya so that they can participate and benefit equally from development initiatives. Kenya's National Development plans such as Kenya's Economic Recovery Strategy for Wealth Creation (2003-007), Kenya Vision 2030 and the Medium-Term Plans 2008-2012, 2013-2017 and 2018-2022 have also recognized that women should have equal access to opportunities and assets with men for the purpose of sustainable development. In addition, gender-aware policies such as the National Land Policy (2009) which recognizes women's rights to own property on an equal basis with men; the National Policy for Prevention and Response to Gender Based Violence; and the National Policy for the Abandonment of Female Genital Mutilation have been adopted.

The national assembly has legislated laws to implement the Constitutional provisions for gender equality. These include the Matrimonial Property Act, 2013 which safeguards women's property rights during and upon dissolution of the marriage; the Marriage Act, 2014 that gives effect to constitutional provisions on equality between parties to a marriage; and the Land Act and Land Registration Acts which secure women's rights to land. Revision of the Succession Act Cap 160 is also at an advanced stage and is expected to address gender issues in succession. Similarly, the Counter. Trafficking in Persons Act, 2010, the Prohibition of Female Genital Mutilation (FGM) Act, 2011 and the Sexual Offences Act, 2006 outlaw specific forms of violence against women and the girl child. Thus, Kenya has ratified and domesticated on both its international and regional obligations on protecting the rights of women and the girl child. Additionally, the Kenya Citizenship and Immigration Act, 2011 provides for dual citizenship. Married women can now confer citizenship to their husbands from foreign countries, a break from the past where only men could confer such status to their wives.

1.3. Gender Situation in Bungoma County

The cultural environment in the county is among the factors that have influenced the participation rate of women and men both in the public and private spheres. Whereas there are significant local and national particularities, roles assigned to men and women are largely culturally pre-determined and different. Indeed, culture has been invoked to legitimize differences in gender status, values and roles and to justify unequal gender relations in a manner that to a large extent favours men and disadvantages women. Although at the National level measures have been taken to provide women with fundamental rights such as the right to own land and to inherit property through the constitution and statutory law, extensive discrimination against women still persists. Women's rights are still largely abrogated by customary and/or religious laws and practices that exist concurrently with statutory law and are simultaneously applied. Bungoma County gender situation is characterized by gender biased cultural songs, Female genital mutilation, circumcision, widow inheritance and male dominant property ownership.

- **The gender division of labor:** Whereas both men and women play substantial economic roles, gender is an important principle in determining the division of labor. Women and men are not equally active in the different productive sectors. For example, in Bungoma, women engage in intensive economic activities thereby playing crucial roles in the economic survival of their families. Men have also been losing some of the traditional roles due to changes in socio-economic and political environments leading to heavy responsibilities for women who have had to assume new roles in addition to their traditional ones.
- **Formal Sector Employment:** Although gender disaggregated data for formal sector employment is insufficient, the statistics available show that fewer women 33.6% than men 76.4% are represented in this sector. Additionally, amongst those that are employed, very few are in the management positions.
- **The informal sector:** Data about the informal sector is also scarce, but according to estimates more than 50 per cent of the women who are economically active work in the informal sector. Some of the limiting

factors in capturing the contributions of women in this sector, are inadequate data, prevailing definitions of economic activity and the nature of their work (concentrated in subsistence production), which mostly goes unrecorded. Women are popular as a source of cheap labor and unpaid domestic work

- **Political participation:** Access to political power is still a great challenge, where women comprise only 34.9% of all seats in the county assembly, which implies that opportunities for women in governance are much constrained.
- **Legal aspects:** Whereas Kenya as a Country has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and customized the Constitution of Kenya 2010 to be gender sensitive, women in Bungoma county still lack knowledge about existing laws, which are designed to protect them, and this constitutes a barrier to their empowerment.
- **Health:** Women's health burdens have been compounded by the deterioration of public health services and systems, the decrease in public health spending, and the privatization of the health care systems. The incidence of the HIV/AIDS in the county is particularly staggering as several factors, including gender relations, are fueling the rapid spread of the infection among women and girls. Bungoma County has a total population of 1,750,634. Out of this, 31,186 people are living with HIV/AIDS. The total prevalence is 3.2% with 2.4% among men and 4% among women, according to the NASCOP 2014 report.
- **Violence:** Gender Based Violence has been on the increase in the County. Majority of the cases 68.9% are experienced by women in their daily relationships most of which remain unreported. This is not only detrimental to the women's health but entails social, political and economic costs as it curtails their capacity to participate fully and equally in development activities.
- **Conflict:** Widespread societal and ethnic conflict in the region especially in the Mount Elgon area due to the Sabaot land defense forces has resulted in massive displacement of people, with female headed households being one

of the most conspicuous features of post-conflict realities, hampering sustainable human capital development. These households are further faced with many economic and social constraints during the post-conflict transition.

1.4 Constraints facing the County in Implementing Gender Equality Measures

Despite progress made in recognizing gender mainstreaming as an approach to gender equality, available evidence indicates that gender inequality persists at various levels. Some of the critical constraints the county has faced in an effort to promote gender sensitive development include:

- I. Poor political buy in/support both from the executive and legislature
- II. Entrenched cultural issues
- III. Lack of a local legislation premised on local experiences
- IV. Gender insensitive budgets and poor resource allocation
- V. Ineffective implementation and co-ordination of national and county policies with the international conventions that support the advancement of women;
- VI. Lack of awareness of and access to existing gender related policies
- VII. Insufficient gender disaggregated data and analysis at the institutional level which can be used to influence policy-making and gender-responsive action;
- VIII. Inadequate gender desks in the County institutions
- IX. Shortage of human, financial and technical resources that inhibit implementation of gender responsive programmes
- X. strong dependence on external financing of projects hampering sustainability efforts;
- XI. Weak civil society organisation and slow evolution in societal attitudes, practices and beliefs that are unfavourable to the advancement of gender equality;

1.5. Policy Vision

Therefore, this policy establishes short-term, medium-term and long-term frameworks for strategic interventions towards the attainment of gender equality.

1.6 Policy Mission

The main thrust of this policy as a strategic development document is to promote gender mainstreaming within the county government departments and across all sectors, programmes and projects as well as all other policy documents.

1.7. Policy Goal

The overall goal of Bungoma County Gender mainstreaming Policy is to ensure gender equality is realized in all departments through gender mainstreaming by establishing a clear strategy of delivering services, policies, procedures and practices.

1.8. Policy objectives

This County gender policy seeks to contribute to the entrenchment of gender equality and equity in service delivery in the County Government of Bungoma. In more specific terms, the policy seeks to:

- I. Establish structures and mechanisms to advance gender equality
- II. Initiate intervention programmes in all departments that promote equitable gender roles and relations
- III. Ensuring compliance to gender responsive programmes through appropriate legislation
- IV. Provide capacity building supported by knowledge sharing that can identify violations, demands, access, seek redress and enjoy their rights
- V. Provide for a data management regime in the county
- VI. Establish a data management centre on gender issues
- VII. Establish a Monitoring and Evaluation system that informs implementation of gender programmes
- VIII. Conduct county gender analysis for administrative purposes

1.9. Guiding principles

The guiding principles of this policy are in accordance with the Constitution of Kenya 2010 and commitments related to Kenya Vision 2030. They thus include:

- I. Leadership and integrity in Gender related intervention;
- II. Accountability and transparency

- III. Gender fairness and justice-guided interventions;
- IV. Inclusivity in decision making processes
- V. Equality in access to opportunities and County resources;
- VI. Recognition of the specificity of women and men;
- VII. Commitment to change discriminatory and retrogressive beliefs and cultural practices; and
- VIII. Collaboration
- IX. Coordination
- X. Inclusivity
- XI. Sustainability

1.20 The Mandate

The department's gender policy will be pursued within the context of its stated mandate, which is to realize "To create sustainable and equitable social cultural and economic empowerment to all". Sustainable development will provide the broad framework within which strategic actions to achieve gender equality will be taken and due account will be given to the critical areas of action for women's empowerment as elaborated in the ratified international and regional treaties. The broad functions of the Directorate of Gender are:

- I. To promote gender mainstreaming in county development processes, and engender the county budget;
- II. To promote the protection of Human Rights and recognition of Women's Rights as Human Rights
- III. To coordinate the development, review and implementation of gender development policies, regulations and practices to achieve a more equitable balance in tasks and in the sharing of the economic and social benefits between men and women;
- IV. To register, regulate and coordinate activities and programmes of all gender-based charitable institutions in the county.
- V. To enhance the capacity of communities to identify, plan, and implement sustainable socio-economic activities;
- VI. To promote women and men entrepreneurship through the provision of Empowerment Fund;

- VII. Enable women and men to have equal voice and influence in County institutions and organizations
- VIII. To enhance collaboration and partnership with the stakeholders for sustainable development on gender issues.
- IX. Provide rehabilitation services to Gender Based Violence and Female Genital Mutilation survivors.
- X. To provide alternative family care services for vulnerable members of the society
- XI. To ensure development of specific gender sensitive indicators and monitoring mechanisms.
- XII. To promote the generation of sex disaggregated data to guide interventions;
- XIII. To entrench gender analysis as fundamental requirement in all programmes, activities and support services in the County;
- XIV. Provide for an opportunity to involve women in peace building processes
- XV. To fight all forms of GBV in the county

CHAPTER TWO: POLICY FRAMEWORK

2.1. Policy Areas

The County's Vision identifies its operational focus around a number of key areas of intervention. Other county policies related to the mentioned priorities will be required to demonstrate an awareness of the importance of gender issues and specify strategies for gender mainstreaming in their operations. However, in order to maintain momentum and credibility and to gain the requisite impact on the ground, a strategic choice appropriate for effective channeling of efforts and resources has been made. Five areas, namely education, agriculture and rural development, wealth creation, health and governance will therefore constitute the central focus of this policy. The underlying justifications for this prioritization are articulated under the respective themes below.

2.2. Gender and Education

Despite education being emphasized as a universal human right from the UNESCO sponsored Jomtien conference 1990, disparities in access still exist. The Dakar and Beijing Platforms for Action emphasize education as key to women's empowerment. It expands women's opportunities, enhances their capacity to develop their full potential, contributes to more equal gender relationships and ultimately enables women to benefit from development interventions. The County Government of Bungoma shall particularly support initiatives and efforts in the education sector that serve to promote fair access to education by both genders. Potential intervention areas will include; scholarships, bursaries, menstrual hygiene management, special needs education psychosocial support, vocational training education and leadership training and empowerment. The county government of Bungoma shall:

- I. Promote accountability on utilization of bursary funds available for vulnerable girls and boys and institutionalize direct support for orphans and children with severe disabilities in school and Ensure that the gender ratio in disbursement of bursaries shall be 1:1.
- II. Ensure equal participation of qualified women and men in leadership and decision-making positions in the education sector at county.
- III. All school going girls and identified vulnerable women shall be provided with sanitary hygiene products monthly by the county

government, Dispensaries for menstrual hygiene products be available in both public and private schools.

- IV. Intensify civic education programmes on FGM and other harmful cultural practices that inhibit access to education for girls;
- V. Promote mentorship programmes in schools and sensitize households to encourage girls to take up male dominated related careers;

2.3. Gender, Access to Land, Housing and Agriculture

Agriculture is the economic back born of Bungoma County. Despite the Constitutional right to ownership of land and the fact that women are major agricultural producers, they have limited access to and control over land and proceeds due to cultural and traditional norms. Studies indicate that women constitute 80% of agricultural labour and provide 60% of farming derived income yet only 1% own land. The County Government of Bungoma will promote technological, institutional and strategic changes that stimulate a lasting gender sensitive transformation in agriculture and the rural economies by offering rural populations opportunities of empowerment. Potential intervention areas include: encouraging land ownership by sensitizing both men and women on the Succession Act and provision of Co-ownership at land registration level. Supporting women farming, management quota in farmer cooperatives as well as protecting women farmers against exploitation. The county government of Bungoma shall;

- I. Implement existing Constitutional reforms and a relevant legal framework that ensure equitable access to land and other natural resources particularly for women for agricultural use and other productivity ventures;
- II. Enhance extension services and avail agricultural information and appropriate technologies to particularly benefit vulnerable women in agricultural practices;
- III. Encourage and Facilitate women to practice and enhance adoption of engendered climate processes, smart inputs and out markets, to ensure that agricultural and other livelihood practices are climate resilient and,
- IV. Enhance women's participation in fisheries sector and the blue economy.
- V. Ensure Gender inclusion in key appointments at the agriculture docket.

- VI. Promote capacity building by training women on entrepreneurship, procurement and crop value addition and formation of SACCOs and product collection center.
- VII. Subsidize farm inputs and tools with a priority on women as they are the most exploited in issues agriculture comprising of more than half of unpaid labour

2.4. Gender, Labor and Economic Development.

Though women and men share the burden of poverty, they experience poverty differently due to gender roles and gender-based variation in their access to as well as control over social and economic resources on one hand, and the manner in which they respond and contribute to wealth creation on the other. The County Government of Bungoma will facilitate and support the development of gender responsive economic empowerment strategies. Possible interventions include network linkages, micro-finance support and training women on entrepreneurship skills, procurement processes. The county government of Bungoma shall:

- I. Strengthen and encourage local review to the legal and administrative framework for labor administration to integrate women in hitherto non-traditional trades i.e. construction, mining, infrastructure development, among others;
- II. Enhance compliance to the ‘not more than two thirds’ gender principle in recruitment, appointment and promotion of women and men in all spheres for greater inclusion and visibility;
- III. Implement labor policies that support minimum wage guidelines, regulations on work hours, and protection for trade union and collective bargaining rights, particularly for women to close the differences in access to economic opportunities, earnings and productivity gaps;
- IV. Recognize unpaid care (for children, older persons, the sick, and persons with disabilities) and domestic work to ensure shared responsibility within the house and invest in social services and infrastructure provision and social protection policies to reduce the burden on women;
- V. Establish a database on employment records of women and men in formal and informal sectors to track, evaluate and improve employment conditions for all particularly women;

- VI. Review skills development programmes and projects and target them at increasing decent employment for all particularly women;
- VII. Build capacities of women's entrepreneurial skills linked with start-up capital; and,
- VIII. Regulate job security for women and men on maternity/paternity leave and ensure safety and protection of women in informal sector including women with disabilities.
- IX. Train both genders on Tender processes and avail equitable chances for awarding of the same to women and men.

2.5. Gender and Access to Health

The highest attainable standard of physical and mental health is a human right that is vital to the society's well-being and the people's ability to participate in development activities. Biological factors as well as structural gender roles and relations expose women to various diseases. Women also have unequal access to and use of basic health resources including primary healthcare services. Gender Based Violence heavily contributes to health-related issues among both gender. Possible intervention areas include mental health, psychosocial support, engaging women CHVs, family planning interventions, access to water and sanitation services, maternal care. The County Government of Bungoma will facilitate achievement of greater equality in the distribution of and access to health services. It places an emphasis on primary health care, GBV interventions programs, reproductive health (including HIV/AIDS, family planning, maternal and child health), and disease control. Interventions in the health sector include: promotion of programmes and projects aimed at reducing maternal morbidity and mortality rates; support to health education; and campaign against GBV and other harmful practices. The county government of Bungoma shall;

- I. Work hand in hand with National Government to strengthen the universal healthcare insurance scheme and enhance its coverage to provide comprehensive and integrated preventive, curative and rehabilitative health services for women.
- II. Dedicate additional funds of the budgetary allocation of the County budget to gender equality to enhance service delivery of health care;

- III. Introduce and Enforce the implementation of school health programmes in all public schools
- IV. Enforce targeted implementation of existing health and nutrition programmes to benefit vulnerable women and girls;
- V. Strengthen efforts to reduce maternal mortality and new HIV and AIDs infections among women and girls within the county
- VI. Regularly review programmes targeted at women and girls (water, sanitation and hygiene - WASH) and recommend improvements.

2.6. Gender, Governance and Leadership

The equal participation of women and men at all levels of decision making is a crucial part of good governance. It serves to reinforce democracy by creating a balance that accurately reflects the composition of society and ensuring that the processes of policy-making and resource allocation is undertaken in an equitable and efficient manner. The affirmative action provides for 2/3 gender rule in all appointive and elective positions which the county has not yet achieved. The County Government of Bungoma will support initiatives to increase women's and vulnerable groups' access and capacity to participate in governance structures as well as decision making at all levels. Possible interventions include; women and leadership trainings and establishing a women and leadership academy considering skills such as communication, public speaking, resource mobilization and public etiquette. The county government of Bungoma shall;

- I. Lobby the national Government to Initiate legislation to give effect to the constitutional principle and ensure that not more than two thirds of members of appointive and elective positions shall be of the same gender;
- II. Ensure that political parties support women's participation in political processes and promote gender equality;
- III. Support effective collaboration of state and non-state actors to build the capacity of women to participate and engage in competitive politics, leadership and governance;
- IV. Support and encourage active and meaningful participation of women in political and decision-making processes from the grassroots level.

2.7. Gender Based Violence and Harmful Cultural Practices

Gender Based Violence occurs to both male and female in all societies in the world, within the home and in the wider community. It however affects women and girls disproportionately with 45% of women aged 15 -49 years have experience violence with girls accounting for 90% of the cases (GBVRC Report 2014). Harmful traditional practices such as Female Genital Mutilation and spouse inheritance dehumanize women, whose concerns are trivialized by the society in which they play significant social and economic roles. Different legal instruments such as the Sexual Offences Act (2006), the Counter Trafficking Act (2010) and Prohibition of Female Genital Mutilation Act (2011) among other laws have boosted the campaign against sexual violence. This policy will set an environment that will address the root causes of such social prejudices and provide protection to women, men and children from all forms of violence including harmful cultural practices thereby restoring the dignity. This policy will create an enabling administrative and management pathway for GBV in the county. Intervention areas may include establishing and managing safe spaces in the county medical facilities, setting up a GBV referral center at Ndengelwa GBV Centre, strengthening gender technical working groups in the county ensure safe work spaces from sexual harassment GBV and SGBV centres to be devolved to the sub- County level, mandated with prevention through available sensitization methods, protection, relief and recovery of survivors. The county government of Bungoma shall;

- I. Ensure enforcement of SGBV related laws and policies;
- II. Promote and establish safe spaces and shelters for SGBV survivors at County, Sub-County and Ward levels;
- III. Promote advocacy and education programmes with a view to changing attitudes and culture that contributes to the acceptance and tolerance of SGBV;
- IV. Develop and strengthen the capacity of relevant institutions to undertake effective and timely investigations and prosecution of SGBV related offences;
- V. Undertake research to identify underlying and systemic causes of SGBV and provide appropriate response measures for mitigation;
- VI. Promote male involvement in managing and responding to SGBV.

- VII. Actively involve men in the championing for end of GBV and SGBV through A HE FOR SHE CAMPAIGN.
- VIII. Encourage men to report GBV and SGBV against them and provide a conducive environment for them same without prejudice.
- IX. Review the qualification of the police officers at the Gender Desk by training them on GBV and SGBV, psychology (guidelines on dealing with victims and perpetrators) and patience of statement taking.

2.8. Gender and Focus on Human resource Development

Human resource planning is a key component in development planning and ensuring gender mainstreaming is an important stride in enhancing gender equity and equality. The department shall give significant attention to gender issues that involve employee recruitment, staffing, performance and career progression focused towards ensuring human resource compliance. The county government of Bungoma shall;

- I. Ensure all recruitment processes are based on qualification and merit devoid of political rewards, nepotism and favoritism gender discrimination.
- I. Ensure there is general knowledge of gender mainstreaming and demonstrable commitment to gender equity and equality on recruitment
- II. The recruitment advertisements shall always include an equal opportunity clause in vacancy announcements and emphasize affirmative action to identify and bridge gender gaps
- III. Endeavour to provide facilities and provisions in recognition of gender specific need e.g. washrooms and toilets.
- IV. The Department will work to ensure its staff performance and capacity is enhanced to facilitate gender mainstreaming through: -
 - a. Quarterly needs assessment to identify necessary capacities to build for gender mainstreaming.
 - b. Internship opportunities for both men and women.
 - c. Undertake a capacity needs assessment on gender to identify, formulate and implement responsive interventions for staff capacity building;
 - d. Ensure that training and career development opportunities are shared equally amongst female and male staff

- e. Identification and procurement of relevant gender resource materials for staff training and reference.
- f. Ensuring that resources are committed to continuous gender training activities to strengthen accountability for gender equality of all officers.
- g. Ensuring that all its Human Resources Policies, practices and decisions shall integrate and promote equality.
- h. Establishing a performance reward system for individual staff and departments that excel in gender mainstreaming.
- i. Support evidence-based generation of data on the extent, effects and implications of different inequalities presented by intersectional and multiple discrimination;
- j. Ensure compliance with constitutional and legal provisions against discrimination;
- k. Develop targeted measures to address intersectional and multiple inequalities.

2.9. Networking and Partnerships focus

In order for the Bungoma County Gender Policy to be an efficient and effective tool for social economic development, inter-team linkages supporting the implementation of gender programs in the county must be encouraged. To ensure this, the Gender Technical Working Group (GTWG) will be established by the Department of Gender, Culture, Youth and Sports. The GTWG shall endeavor to ensure that:

- I. The department formalizes and strengthens the linkages between the County Government and relevant stakeholders;
- II. Programs that work towards elimination of gender inequalities and promotion of equal access to resources and opportunities within the county are effectively coordinated;
- III. That county policies, legislations and regulations not only adhere to constitutional provisions of inclusiveness but are effectively implemented.

2.10. Research, Knowledge Building and Information Sharing

The County Government of Bungoma shall integrate gender analysis into development programmes at the levels of design, implementation and impact review as a means of identifying priorities, opportunities and challenges for

redressing gender inequalities and maximizing impact of the programmes. The strategies to mainstream gender in research will include:

- I. Integrating gender analysis in all county research programmes. While there is need to conduct strategic research on some gender-specific issues, a cross-cutting approach will apply to most research programmes.
- II. Capacity building for men and women research officers and staff to equip them with gender analysis skills;
- III. Ensuring gender balance in research programmes. This will include ensuring fair representation of men and women in technical research teams and capacity building programmes.
- IV. Promoting gender-sensitive participatory approaches to research.
- V. Creating synergies for knowledge management and information exchanges across County departments and with other stakeholders and partners;
- VI. Generating, reporting and sharing gender-disaggregated data.
- VII. Establishing a gender research documentation centre to enhance the collection, analysis, storage, retrieval and dissemination of gender-related research data and reports.

2.11. Gender and Poverty Eradication .

This are programmes designed to reduce and prevent poverty and vulnerability during one's life. The county government of Bungoma shall;

2.12 The Girl/Boy Child and Culture and Behavioral Change

The CGB shall enhance the respect and promotion of children's rights for girls and boys. It shall equally promote new attitudes, values and behavior and a culture of respect for women and men, boys and girls. CGB shall;

- I. Eliminate all forms of discrimination, negative attitudes and practices that prejudice the girl child and the boy child;
- II. Eliminate structural constraints that hinder the realization of the rights of boys and girl;
- III. Support women and men to work with children and youth to break down persistent gender stereotypes, taking into account the rights of the child and the responsibilities, rights and duties of parents;

- IV. Support appropriate age sex education for boys and girls with parental involvement and emphasize on their respective responsibilities regarding their sexuality and fertility.
- V. Integrate gender equality and social inclusion in all curricula at all levels of learning;
- VI. Develop and implement a gender and social inclusion capacity building and awareness raising programme;
- VII. Establish gender and social inclusion platforms.

2.13 Gender, Peace and Security

The CGB shall integrate and mainstream gender perspectives in peace and security processes for a stable and secure environment for all. The CGB shall Endeavor to:

- I. Promote gender mainstreaming in management of conflict situations including prevention and mitigation measures;
- II. Promote and engender the design, capacity building, implementation, monitoring and evaluation of peace-building initiatives;
- III. Ensure equitable representation of men and women in conflict prevention and peace building programmes;
- IV. Localize and promote the implementation of the Kenya National Action Plan on UNSCR 1325 on Women, Peace and Security and related resolutions.

2.14 Gender, Environment and Natural Resources

Ensuring a clean, secure and sustainable environment shall be the priority policy actions for the wellbeing of the society. The CGB shall:

- I. Develop and review environment, and other natural resources (including forests, water, mining, petroleum and energy) management laws, policies and programmes to ensure gender and equity compliance;
- II. Ensure availability of water for multiple use to women taking into account the gender division of labour that defines women's domestic and productive activities in the household;
- III. Ensure women participate in and benefit equitably from investments in various natural resources development initiatives;
- IV. Build capacities of development agencies in gender mainstreaming into environment and climate change laws, policies and programmes and ensure

that women, men, girls and boys participate in and contribute to and benefit from climate resilient programmes and projects;

- V. Support interventions aimed at equitable participation of women, men, girls and boys in the sustainable utilization of natural resources for economic benefits including opportunities for carbon trading.

2.15. Gender Information, Communication and Technology (ICT)

The CGB shall Harness ICT as a tool for broader strategies and programmes to create opportunities for empowerment of women and men.

- I. Collect and disseminate gender data on ICT access and use to inform policy and decision making;
- II. Identify, promote and document good practices and lessons learned to bridge the gender divide in the use of ICT;
- III. Promote inclusion of ICT and STEM education in mid-level tertiary institutions; and,
- IV. Promote the roll out of operational digital villages/ICT hubs and ‘biashara centres’ across the nine (9) Sub-counties to ensure access to ICT services by men and women.

1.16 Gender and Respect for the human rights of All

This policy shall ensure that promotion of the respect for civil, political, economic and social rights of all is achieved. The CGB shall:

- I. Enforce constitutional and legislative provisions for the realization of civil, political, economic and social rights of all Kenyans;
- II. Ensure the implementation of all international human rights treaties that Kenya has ratified paying special attention to those on gender equality;
- III. Provide mechanisms for the protection of the human rights defenders.

CHAPTER THREE: POLICY IMPLEMENTATION & INSTITUTIONAL FRAMEWORK

3.1. Introduction

This chapter presents the institutional and implementation framework for implementing the Bungoma County Gender Mainstreaming Policy. The institutions identified will facilitate integration and mainstreaming of gender concerns as part of their mandates in implementing the policy. Implementation of the policy will thus take a multi-sectoral approach cutting across both the state and non-state actors at all levels. The Directorate in charge of Gender Affairs will take the leading role of coordinating all the other players in the county so as to enhance harmony and avoid duplication. Along with the policy a County Action Plan for implementing the policy shall be developed in collaboration with key stakeholders. The action plan will provide clear roles and responsibilities as well as targets and timelines for each actor, among other key requirements. The Gender mainstreaming Policy has been designed to leverage on the County's efforts of spearheading gender equality initiatives throughout all departments. Therefore, it is mandatory that all programmes demonstrate their efforts towards embracing gender mainstreaming in the county. To ensure that the gender policy is implemented, the Department of Gender, Culture, Youth and Sports shall focus on four main aspects:

- I. Commitment to promote a system-wide responsibility and accountability for gender equality through gender mainstreaming
- II. Institutionalize a framework to guide policy implementation
- III. Allocate adequate resources to gender mainstreaming programmes
- IV. Cultivate political goodwill to champion gender mainstreaming programmes

3.2 Institutional Implementation Framework

3.2.1 The Department

For successful implementation of this policy, the department of Gender Development led by the CECM and Chief office with the technical support of the director shall aim at promoting a conducive atmosphere by entrenching gender equality analysis.

Towards this end, the department shall be committed to:

- I. Developing criteria and procedures that allows for fair distribution or allocation of resources and services for gender mainstreaming
- II. Provision of technical guidance to all departments regarding the effective integration and accountability for gender equality in county development;
- III. Ensuring that opportunities for development and empowerment of women are created and awarded equitably;
- IV. Legislating and enforcing policies and laws that protect and promote women dignity and all members of staff;
- V. Enhancing capacities and capabilities of staff through gender skills, knowledge and awareness building as well as mentoring so as to promote gender equality in decision-making.
- VI. Ensuring that dispute resolution mechanisms are not merely available, but are also easily accessible, effective and responsive to the needs of all;
- VII. Providing facilities and supplies in recognition of gender specific needs e.g. crèche, toilets, breastfeeding place for mothers;
- VIII. Creating a mechanism to ensure the auditing, monitoring and assessment of policies, programmes as well as procedures for gender-responsiveness;
- IX. Establish a data management center on gender and gender-related issues; and ensure community outreach programs in gender equality
- x. Ensure strategic synergies and partnerships on gender mainstreaming

3.2.2 Gender Technical Working Group (GTWG)

The GTWG reflects the diversity of actors in gender development and is composed of persons with expertise on gender issues. This group shall have the responsibility to advise, assist, support and advocate for activities designed to strengthen gender mainstreaming initiatives. The group shall be comprised of:

- I. Government officer in charge of coordination of National Government services who shall be the chair
- II. The Gender Officer in charge of the Sub County who shall be the Secretary
- III. Officer in charge of coordination of County Government Services who shall co-chair
- IV. Head of the Judiciary within the sub-county;
- V. Probation officer;
- VI. Two Representatives from the education sector one of whom shall be from the National Government and the other from the County Government;
- VII. Representative from the Office of the Director of Public Prosecution appointed in writing
- VIII. The Sub County officer from the Department of Children Services or a representative appointed in writing;
- IX. a Sub County officer from the Department of Health;
- X. Security agencies within the sub-county; police officer in charge of the Gender Desk
- XI. One Community leader and elder;
- XII. Representatives from the Faith Based Organizations in the sub-county appointed in writing;
- XIII. Representation of community policing
- XIV. representatives from the civil society organization working within the sub-county on matters of gender violence appointed in writing; and
- XV. The Technical Working Group may co-opt any other relevant member as may be deemed necessary in response to and prevention of gender based violence.
- XVI. Not more than two-thirds of members of the Gender Technical Working Groups shall be of the same gender.
- XVII. A representative from PLWDs

- XVIII. Representative from the office of the Women Representative Office; in light of the Affirmative Action Remuneration given to the office.

The Mandate of the Working Group shall:

- I. Coordinate response to and prevention of gender mainstreaming in the sub-county;
- II. Implement the policies and regulations aimed at prevention and response to gender mainstreaming;
- III. Implement policy directives by county SGBV management committee;
- IV. Prepare quarterly and annual reports for submission to the County Gender Mainstreaming management committee;
- V. Implement safe SGBV referral pathways that in the sub- counties
- VI. Recommend to the county SGBV suitability of victims to be declared vulnerable in need of special care and protection; and conduct SGBV advocacy and sensitization activities in the communities.

3.2.3 County Gender Advisory Office in the Officer of the Governor

The Gender Advisory Office is a county organ established in the Governor's office to oversee policy implementation and advice:

- I. Preparation of briefs on gender policy and programmes;
- II. Analysing gender issues in close collaboration with the County Department responsible for gender mainstreaming;
- III. Conducting research and coordinating gender based research; and
- IV. Providing gender advisory services to the Governor
- V. Help the directorate on gender outreach initiatives
- VI. Resource mobilization
- VII. Advice the governor on gender mainstreaming affairs in the county

CHAPTER FOUR: MONITORING AND EVALUATION

4.1 Policy Monitoring

Monitoring and evaluation (M&E) shall be an essential strategy in the implementation of the Bungoma County Gender Mainstreaming Policy 2023. This will ensure that results frameworks on each policy action detailing outputs, outcomes, impacts and key actors shall be developed to facilitate annual plans and development planning processes in all sector at all levels. The M&E processes will follow a strategic implementation plan that will be put in place for each component of the policy commitments. The M&E strategy will involve quarterly and annual updates.

4.2 Policy Evaluation

The Directorate of Gender shall establish an evaluation mechanism to ensure the policy objectives are monitored, tracked and evaluated. The Development and implementation monitoring and evaluation tools and performance indicators shall be integrated in the annual plans and development planning processes at the County Government for effective monitoring and evaluation. The Gender Mainstreaming of the activities shall be measured through qualitative and quantitative gender indicators as part of the Monitoring and Evaluation system. The county department shall keep accurate and updated sex disaggregated statistics to inform planning. It shall also be essential to record the beneficiaries of various activities from a gender perspective of the programs the county department is undertaking. In line with the above initiatives, the county department shall be committed to undertake concrete steps that shall address current gender gaps and opportunities for change by ensuring that:

- I. Gender sensitive indicators are an integral part of all key result areas at planning, project and program levels.
- ii. All departments of the CGB and Units shall report progress on gender mainstreaming of activities to the Bungoma County Gender Mainstreaming committee.

4.3 Research for Monitoring and Evaluation

The directorate shall also conduct baseline research and document enhanced data collection, collation and analysis of sex disaggregated data to inform policies, planning and decision-making Policy Actions Monitoring and evaluation components aiming at:

- I. Researching issues of Gender Equality and Women Empowerment;
- II. Establish a gender management database to be updated regularly and include disaggregated data as a minimum standard;
- III. Develop and implement National Guidelines on Collection, Collation and Analysis of Sex Disaggregated Data;
- IV. Strengthen capacity to the develop and use of the national guidelines on collection, collation and analysis of sex disaggregated data;
- V. Assessing all programs to ascertain whether they meet the policy targets and aspirations of gender equity and women empowerment (GEWE)
- VI. Evaluating whether implemented programs have had positive impacts on target beneficiaries.

CHAPTER FIVE: COMPLIANCE & POLICY REVIEW

5.1. Compliance

All stakeholders shall comply with this Policy to ensure effective implementation of this programme. Compliance in this Policy is adhering to guidelines, standards, operating procedures and regulations. All Public Sector Institutions, Civil Society and Private Organizations that are registered with Government and handle public funds will be required to comply with the provisions of this Policy. Standards set out in this Policy document that guide the implementation processes shall be applicable across the County Government structures.

5.2. Compliance Requirements and Obligations Shall Include:-

- I. Reporting obligations according to agreed formats;
- II. Abiding by the principles of the policy
- III. Abiding by the agreed quality, quantity, time and standards. (These shall be defined and agreed with stakeholders)

5.3. Non-Compliance

Non-compliance to this Policy shall be managed in accordance with the relevant legal and regulatory provisions.

5.4. Review of Policy

This Policy establishes a framework for management of gender issues in the county. The practice, approach and tools for implementation will continue to evolve with time. As such this Policy will be reviewed through a participatory process and after every 5 years in line with the implementation period for the MTPs for Vision 2030 and CIDPs, so as to capture relevant developments and emerging practices and approaches. There shall however be a continuous review process of the Policy.