

# DELIVER FOR GOOD 12 INVESTMENT AREAS FOR WOMEN AND GIRLS IN KENYA

## A DISSEMINATION PAPER ON THE POLICY LANDSCAPE MAPPING REPORT

PREPARED FOR THE DELIVER  
FOR GOOD CAMPAIGN IN KENYA (MARCH 2019)



Report compiled and published  
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## THE EXECUTIVE SUMMARY

The Deliver for Good campaign is a global advocacy and communications campaign, initiated by Women Deliver and 12 advisory group partners that applies a gender lens to the Sustainable Development Goals (SDG's) & promotes 12 critical investment areas in girls and women to power progress for all. In Kenya the focus was on mapping out key Kenya Government Policies and priority investment areas at National level and how it supports sub national prioritization of girls and women's rights in five main thematic areas:

1. Strengthening Women's Political Participation and decision-making power.
2. Accelerate Access to Resources including land, clean energy, water and sanitation
3. Ensure Access to comprehensive health services
4. Boost women's economic empowerment
5. Generation of high-quality data.

## ABOUT FIDA KENYA

FIDA Kenya is non-governmental organization registered in 1985 with the mission of promoting women's individual and collective power to claim their rights in all spheres of life.

## ABOUT FEMNET

The African Women's Development and Communication Network (FEMNET) is a pan-African feminist network advancing gender equality, women's rights and amplifying African women's voices and perspectives in policy.

## ABOUT DELIVERFORGOOD CAMPAIGN

The Deliver for Good campaign is a global advocacy and communications campaign, initiated by Women Deliver and 12 advisory group partners that applies a gender lens to the Sustainable Development Goals (SDG's) & promotes 12 critical investment areas in girls and women to power progress for all. The 12 critical investment areas are:

1. Improve Maternal and Newborn Health and Nutrition;
2. Meet the Demand for Modern Contraception and Reproductive Health;
3. Respect, Protect, and Fulfill Sexual Health and Rights;
4. Ensure Access to Comprehensive Health Services;
5. Dramatically Reduce Gender-Based Violence and Harmful Practices
6. Human Resources for Health;
7. Health Financing;
8. Health Investments;
9. Essential Products and Commodities;
10. Equipment and Technology;
11. Information Systems – Data management;
12. Service Delivery and
13. Good Governance.

With more than 300 supporters in 50 countries, Deliver for Good is mobilizing supporters and stakeholders across sectors and issue areas to redefine the narrative around girls and women from the most vulnerable, to agents of change and critical drivers of progress.

## POLICY LANDSCAPE

The Constitution of Kenya Preamble grounds equality and non-discrimination as core foundation of the Kenya State, recognizing the aspirations of all Kenyans for a Government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law.

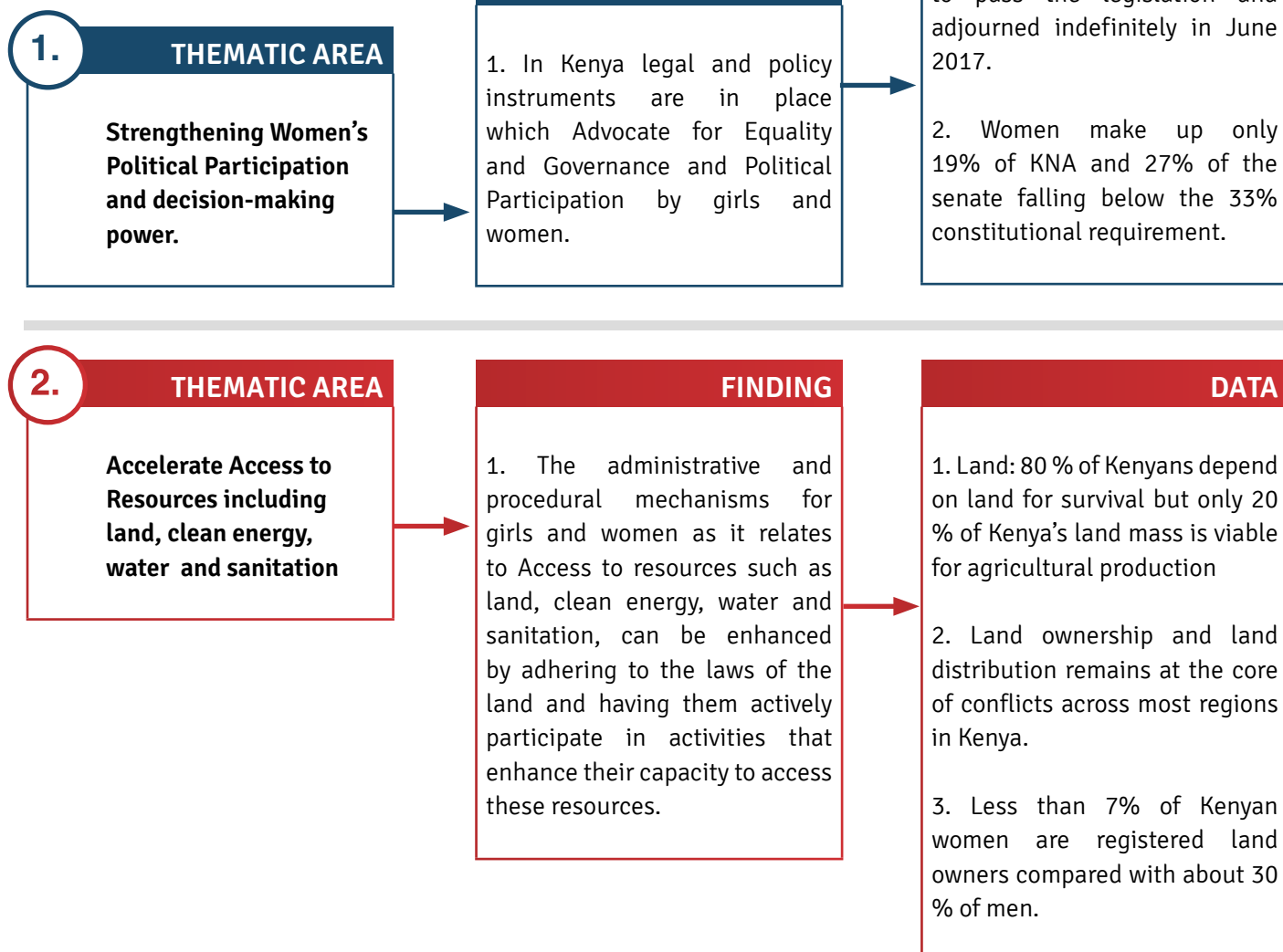
Furthermore, Article 27 in the Bill of Rights stipulates that women and men have the right to equal treatment including the right to equal opportunities in political, economic, cultural and social spheres. Article 10 of the Constitution entrenches equality as one of the National values and Principles. Further, the Constitution has provided that all persons are equal before the law and have the right to equal protection and equal benefit before the law.

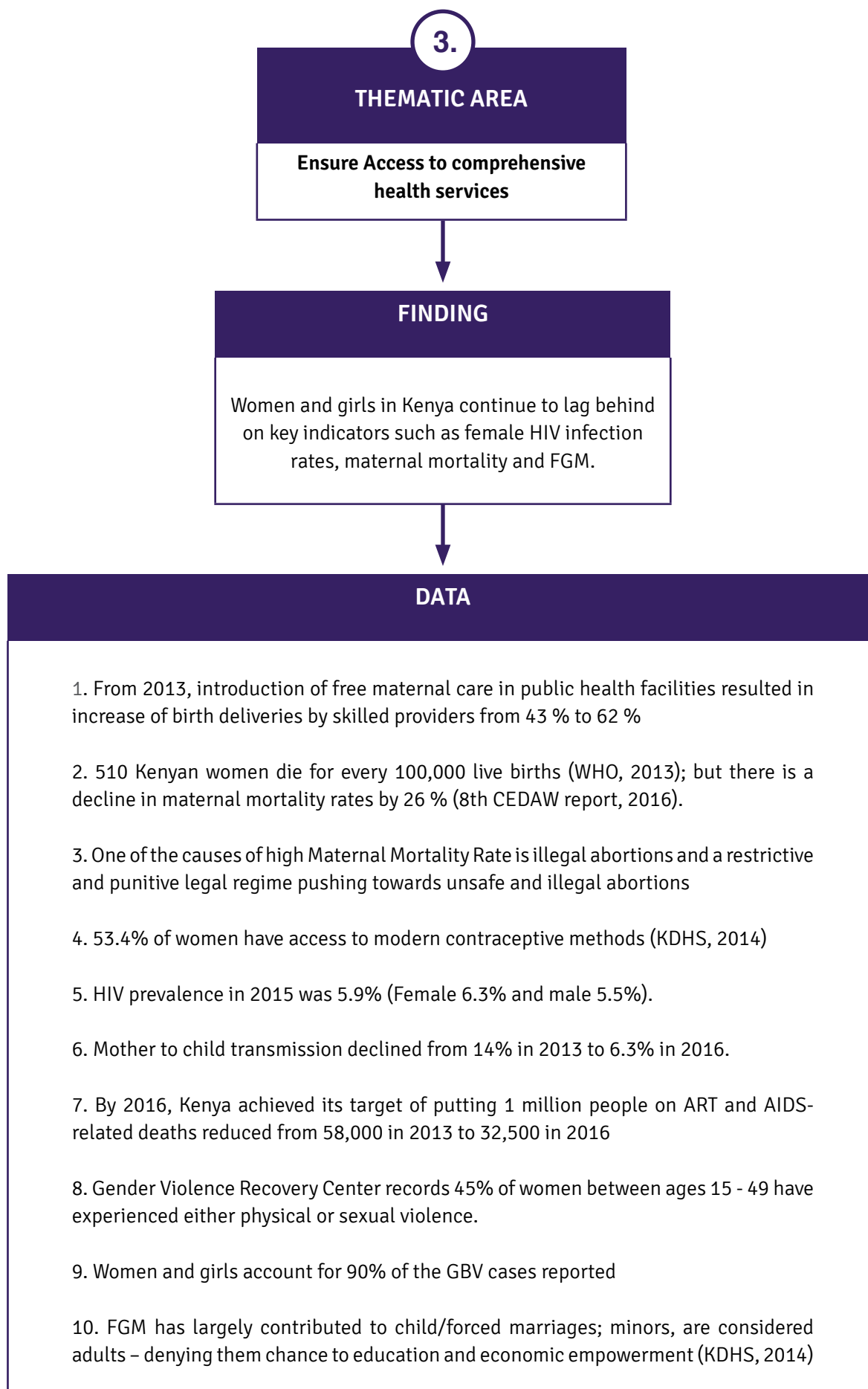
Article 27(8) requires the state to take legislative and other measures aimed at ensuring that not more than two thirds of the members of appointive or elective bodies shall be of the same gender.

The Government has therefore established various institutions which include: the State Department for Gender Affairs, the Anti FGM Board, the National Gender and Equality Commission (NGEC), Kenya National Human Rights Commission (KNHRC), Gender Research and Documentation Centre and Kenya National Action Plan on United Nation Security Council resolution 1325 Secretariat.

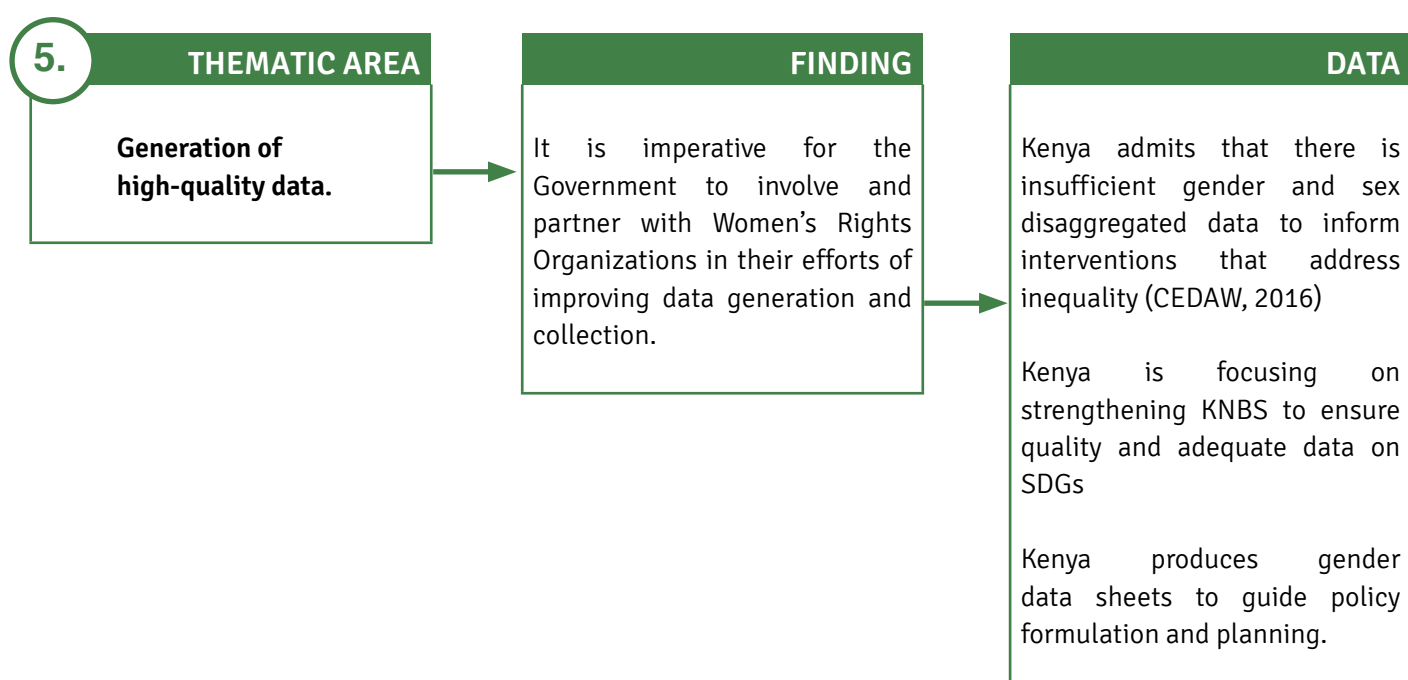
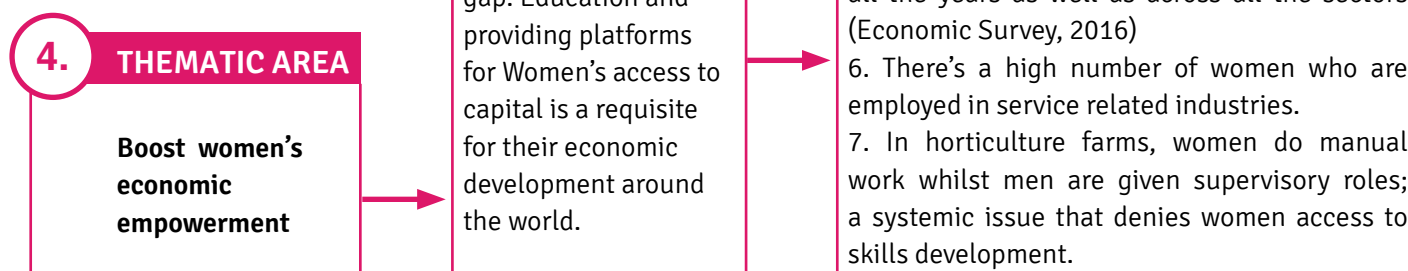
Despite the progressive constitutional provisions and the subsequent enactment of laws to safeguard women and young girls, discrimination against women and young girls is still widespread in the country.

## KEY FINDINGS









## RECOMMENDATIONS

If Political Participation is increased, there will be more awareness of women's rights and role of women and girls as rightful; by increasing the number of women representatives

1. Better legislation to protect girls and women will lead to increased access to resources such as land and education which will increase women's economic empowerment.
2. With increased knowledge and access to funds, women and girls will be better able to safeguard their health by better diet and obtain better medical treatment.
3. Data on progress in the thematic areas should be shared and involve girls and women in the creating of solutions. When they own the process, they will be more invested in advocating for change.
4. Kenya is committed to implement the agenda 2030 and more specifically the existing policy framework if implemented in line with the positive spirits behind the aspirations will improve gender equality and empowerment of girls and women in the 12 investment areas.
5. The progress towards achieving the thematic areas will also be anchored on how the devolution process will effectively deliver development services
6. The National Statistical Systems will require to be expanded to incorporate non-state actors in order to create the necessary synergies to trigger new data collection tools and technologies for SDG monitoring frameworks

## REFERENCES

The key policies and development frameworks reviewed were;

- The constitution of Kenya (2010), existing legislations, Bills, Policies & regulations including the following:
- Protection against domestic violence Act
- The prohibition against Female Genital Mutilation Act
- The national Policy for the Abandonment of Female Genital Mutilation of 2010
- The Victim protection Act
- Sexual offenses Act
- The Kenya National Vision 2030 + Draft MTP 111 emerging priorities + National statistical indicators-with focus on 12 investment areas
- The National SDG implementation roadmap, its focus against the 12 investment areas & areas of implementation. National investment planning guidelines: 2018/2019 approved budget (projections) against 12 priority areas. This ensures that reports are also reflective on the National Government Mid-term expenditure frameworks which guide financing of implementation of these policies
- Africa Agenda 2063: looking at AU Commitments on Leave No One Behind, it ensures reports from Kenya will be reflective of progress agreed upon.
- The Kenya Adolescent Sexual Rights and Health Rights Policy 2015
- International Conference on Population and Development (ICPD framework).

- Global Strategy for Women's and Children's Health
- The Global Commission on information and accountability for women and children's health
- The global Partnership for Maternal, Newborn and Child Health framework
- Global Family Planning 2020 framework
- Kenya Gender Policy in Education, 2007
- Kenya Health Policy 2012-2030

## REPORTS

- National government and shadow reports on international & regional human rights instruments ratified by Kenya government-domestication, coherence with national policies & compliance: - reporting, adherence, implementation of committee observations & recommendations.
- Kenya Voluntary National report (VNR) to the high level political forum 2017: SDGs implementation, follow up and review, assess the gendered dimensions of the report.
- National government & Shadow reports on Maputo Protocol, CEDAW & Beijing Plans of Action.
- Gender Planning Gap Analysis Report- GROOTS Kenya (2017)
- County Development Plans Analysis report -2017 by UNICEF

# A. HEALTH AND WELLBEING OF GIRLS AND WOMEN

## 1. Maternal and Newborn Health and Nutrition



510 OF EVERY  
100,000 BIRTHS

1.

According to the World Health Organization (WHO) Report on Trends on Maternal Mortality, 2013, 510 Kenyan women die for every 100,000 live births<sup>1</sup>.

<sup>1</sup> World Health Organization (Who) Report On Trends On Maternal Mortality, In Kenya

2.

Introduction of free maternal care in public health facilities resulted in increase of birth deliveries by skilled providers from 43% to 62% and a decline in maternal mortality rates by 26%<sup>2</sup>.

<sup>2</sup> Kenya's Eighth State CEDAW Periodic Report 2016

62%



26%

3.



1 in 7 women aged 25-49 years having been screened at least once for cervical cancer.

4.

In addition, the fourth ante-natal clinic coverage registered improvement from 51.7% (2014/15) to 52.2% (2016/17). This was matched by a remarkable improvement in births by skilled attendants in health facilities from 69% (2013/14) to 77.4% (2016/17) largely attributed to Free Maternity Services<sup>3</sup>.

<sup>3</sup> Kenya Demographic and Health Survey (KDHS) 2014



5.

Despite the governments provision on free maternity services for women in Kenya in all public hospitals, maternal mortality remains high at 362 maternal deaths per 100,000 live births for the seven-year period preceding the 2014 KDHS.

6.

Additionally maternal deaths account for 14 percent of all deaths to women aged 15-49<sup>4</sup>.



<sup>4</sup> The 68th Pre-Session Ngo Reports 2017





## 2. Demand for Modern Contraception and Reproductive Health

40.7%



1. Proportion of Women of Reproductive Age (WRA) using contraceptives has reportedly improved from 40.7% (2014/15) to 44.9% (2016/17)<sup>5</sup>;

<sup>5</sup> Kenya's Eighth State CEDAW Periodic Report 2016

53.4%



2. According to KDHS, 2014 only 53.4% of women have access to modern contraceptive methods<sup>6</sup>.

<sup>6</sup> According to Kenya Demographic & Health Survey, 2014

28%



3. High adolescent pregnancy is still evident in Kenya, with 15% of women aged 15-19 years had already given birth, and the contraceptive use among the same age category remaining as low as 28%<sup>7</sup>.

<sup>7</sup> Progress in achievement of MDGs: Trends in contraceptive and teenage pregnancies in Kenya- final status report June 2016

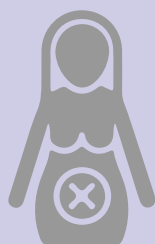
58%



4. Various factors inform this percentage of usage including stock run-outs with the contraceptive prevalence rate recorded at 58% (KDHS, 2014), although this is higher in urban areas than rural areas (61.8% and 55.5%) respectively<sup>8</sup>.

<sup>8</sup> Kenya National Bureau of Statistics (KNBS), Economic Survey, 2015

## 3. Respect, Protect, and Fulfill Sexual Health and Rights



1.

In the 2011 Concluding Observations, the Committee noted that one of the causes of high Maternal Mortality Rate was illegal abortion and that a restrictive and punitive legal regime was pushing women to procure unsafe and illegal abortions<sup>9</sup>.

<sup>9</sup> The 68<sup>th</sup> Pre-Session Ngo Reports 2017



2.

While the Constitution tries to rectify the anomaly, the Penal Code has not been amended and hence a woman who has procured an abortion under circumstances allowed by the Constitution is susceptible to prosecution under the Penal Code.



3.

In the 2011 Concluding Observations, the Committee noted that one of the causes of high Maternal Mortality Rate was illegal abortion and that a restrictive and punitive legal regime was pushing women to procure unsafe and illegal abortions.

## HIV

1. The HIV prevalence in 2015 was **5.9%** (Female 6.3% and male 5.5%).

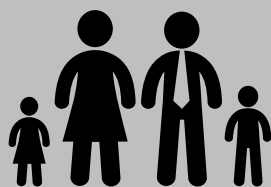
2. New HIV infections among adult (15+) population **DECLINED** from 88,622 in 2013 to 56,100 in 2016 and that of children from 12,940 to 4,900 over similar period.

3. Mother to child transmission declined from 14% in 2013 to 6.3% in 2016. Notably, 46% of all new HIV infections are among young people aged 15-24.

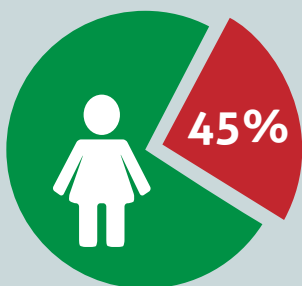
4. By end of 2016, Kenya achieved its target of putting **1 MILLION** people on ART and AIDS-related deaths reduced from 58,000 in 2013 to 32,500 in 2016.

5. Young African women aged 15-24 account for 25% of new infections<sup>10</sup>

<sup>10</sup> See UNAIDS. 2016. *Prevention Gap Report*

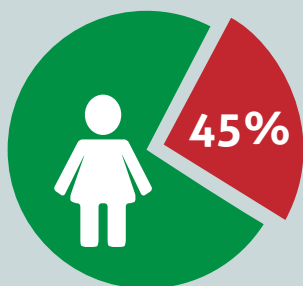


## 4. Dramatically Reduce Gender-Based Violence and Harmful Practices



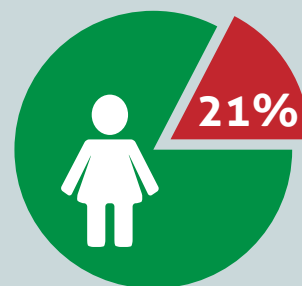
### EXPERIENCED PHYSICAL VIOLENCE

1. The Kenya Demographic Health Survey 2014, indicates that 45% of Kenyan women aged 15 - 49yrs have experienced physical violence since attaining the age of 15.



### EXPERIENCED PHYSICAL OR SEXUAL VIOLENCE

2. While the Gender Violence Recovery Center (GVRC) records 45% of women between ages 15 - 49 have experienced either physical or sexual violence, with women and girls accounting for 90% of the gender based violence (GBV) cases reported.



### EXPERIENCED SEXUAL VIOLENCE

3. One in five Kenyan women (21%) has experienced sexual violence<sup>11</sup>.

<sup>11</sup> The 68<sup>th</sup> Pre-Session Ngo Reports 2017

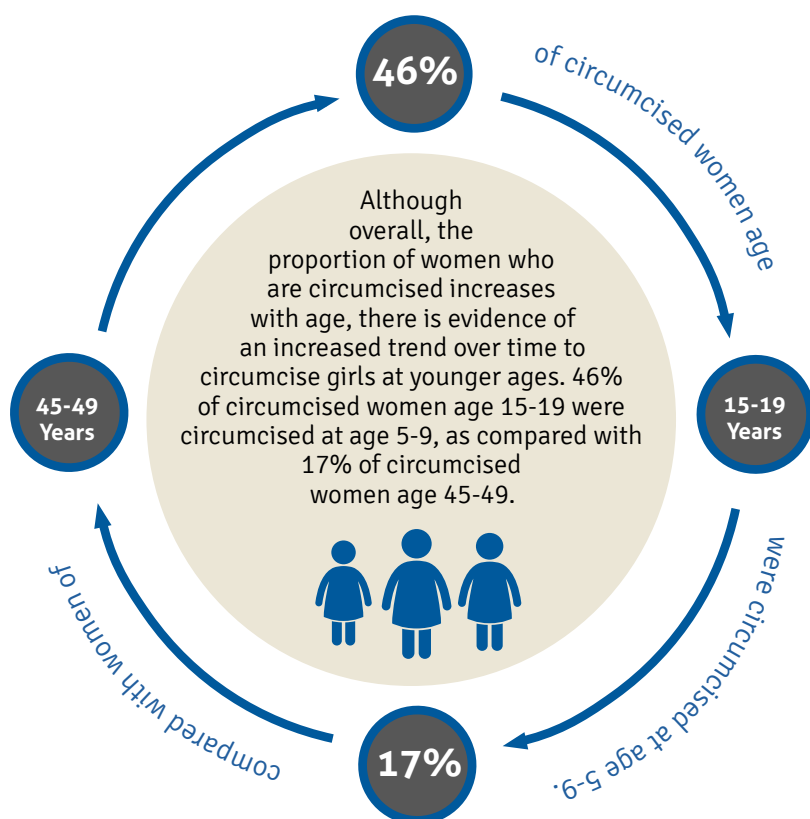


## HAVE EXPERIENCED FGM

### 4. More than 2% girls & young women have experienced female genital mutilation (FGM) in Kenya<sup>12</sup>.

a. The Kenya Demographic and Health Survey (KDHS) 2014 indicates that twenty one per cent (21%) of women between age 15-49 surveyed have undergone FGM. Some communities still have high FGM prevalence rate than others (more work might need to be done in some communities such as among the Somalis, Samburu, Kisii and Maasai).

<sup>12</sup> UNICEF, *Female Genital Mutilation/Cutting: What might the future hold*, [https://www.unicef.org/cbsc/files/UNICEF\\_FGM\\_report\\_July\\_2013\\_Hi\\_res.pdf](https://www.unicef.org/cbsc/files/UNICEF_FGM_report_July_2013_Hi_res.pdf)



b. FGM has largely contributed to child/forced marriages in Kenya as girls who have undergone the cut, despite being minors, are considered adults – denying them chance to education and economic empowerment activities.



The 2014 KDHS is explicit that among women of ages 25-49:

- i) **29%** were married by **age 18**,
- ii) **48%** were married by **age 20**.



## PHYSICAL ABUSE BY A PARTNER IN HER LIFETIME

### 5. One in every three women in Kenya will experience physical and/or sexual violence by a partner, or sexual violence from someone other than a partner in her lifetime<sup>13</sup>. This means violence takes place regardless of class, age, race, sexuality and (dis)ability.

<sup>13</sup> World Health Organization, London School of Hygiene and Tropical Medicine. *Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence*. Geneva: World Health Organization; 2013

## B. GIRLS' AND WOMEN'S EQUALITY AND PARTICIPATION



1. The Gender Parity Index (GPI) in education has for many years been stable in Kenya, the ratio of girls to boys has oscillated between 0.89 and 0.98 in 2014<sup>14</sup>.

14 KNBS, Statistical Abstract, 2014, Ministry of Education, Science and Technology, 2013, KEWOPA, 2013

2. The Ratio of girls to boys in primary, secondary, tertiary institutions and university has traditionally shown a declining trend as they go up to higher levels of learning institutions; attributed to the introduction of Universal Free Primary and Secondary Education.

### 1. Equitable and Quality Education at All Levels



1. Sixteen percent (16%) of the women population lack basic literacy skills compared 9% men <sup>15</sup>.

2. National targets for the education and training sector include: achievement of 100% Universal Secondary Education through ensuring 100% transition from primary to secondary education; improving the teacher-pupil ratio from 1:45 to 1:30 in both primary and post primary institutions; development of TVET infrastructure and equipment; and integrating ICT into teaching, learning and training by expanding the Digital Literacy Programme.

3. Participation rate in organized learning increased from 70.2 to 74.6 to 74.9 percent in 2014, 2015 and 2016 respectively.

4. Currently enrolment stands at 102, 749. Since January 2016, 184 special boarding schools (167 primary schools, 8 secondary schools and 6 technical /vocational institutions) received capitation grants.

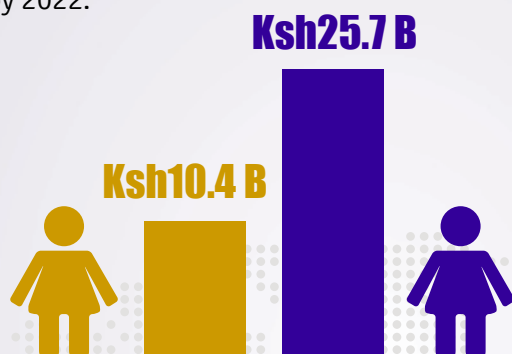
5. The expansion of TVET institutions has resulted in an increase in enrolment by 4.7 in the period under MTP 2.

15 See Kenya National Bureau of Statistics, Kenya National Adult Literacy Survey (March 2007), available on <http://statistics.knbs.or.ke/nada/index.php/catalog/58>

## 2. Boosting Women's Economic Empowerment

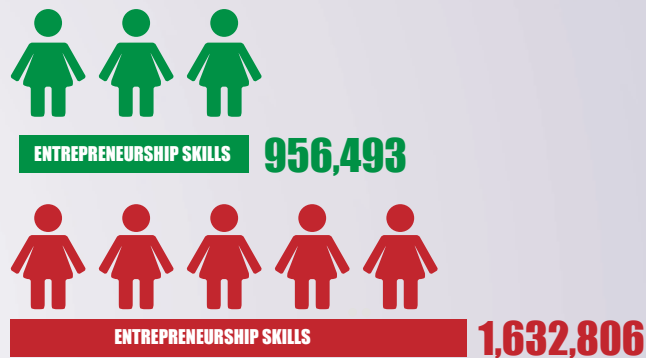
1.

The women enterprise fund will increase loan disbursement from a cumulative ksh10.4 billion to ksh.25.7 billion targeting 2,157,653 beneficiaries by 2022.



2.

In addition, the number of women trained on entrepreneurship skills will be increased from 956,493 to 1,632,806.



3.

The uwezo fund will be scaled up by ksh.2.5 billion to cover additional 500,000 beneficiaries. Capacity building will also be undertaken to 25,000 groups reaching 500,000 individuals.

4.

Access to Government Procurement Opportunities (AGPO), 30% of government contracts should be given to youth, women and persons with disability without competition from established firms. Therefore, number of AGPO registered enterprises will be increased to 210,000 to ensure full access to 30% of government procurement opportunities

<sup>16</sup>.

<sup>16</sup> The third Medium Term Plan for Kenya 2018-2022

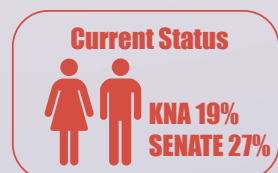
5.

Unequal employment for women against men  
According to economic survey 2016, the number\* of kenyans employed in different industries desegregated in terms of gender from 2012-2014 indicates that the number of women in employment is much lower than that of men across all the years as well as across sectors.

## 3. Women's Political Participation and Decision-Making Power

1. Kenya is lagging behind in political empowerment, as the state and parliament are yet to take 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 <sup>17</sup>.

<sup>17</sup> The list of UPR recommendations can be accessed at <https://documents.un.org/doc/UNDOC/GEN/G15/064/59/PDF/G1506459.pdf>



2. The 2/3rd Gender rule: the national assembly failed to pass to pass the legislation and adjourned indefinitely in June 2017.

3. Currently women make up only 19% of KNA and 27% of the senate falling below the 33% constitutional requirement.



## 4. Accelerate Access to Resources—Land, Clean Energy, Water, and Sanitation



### 1. Land:

80% of Kenyans depend on land for survival but only 20% of Kenya's land mass is viable for agricultural production

### 2. Clean energy:

- To achieve this, about 5.95 million households have been connected to electricity supply which is 144% increase in three years resulting in 33 million or 65% access to electricity.
- During the same period, 23,337 or 97% public primary schools were connected to electricity which is an increase of 170%.
- Kenya currently has 636 MW of installed geothermal capacity and aims to have 5,530 MW of geothermal power or 26% of total capacity by 2030. This will make it Kenya's largest source of electricity clean energy by 2030.



### 3. Water and sanitation:

- The percentage of Kenyans with access to safe drinking water increased to 28,490,481 people (60%) in 2017 from 23,190,481 people (53.3%) in 2013, translating to an additional 5.3 million people served

#### i). Urban Water Supply and Sewerage Programme:



- The overall coverage of population with access to safe drinking water rose from 53.3% in 2013 to 60% in 2017.
- Urban water supply coverage increased from 61.7% to 68.3% over the same period. Access to sewerage is estimated to be 25% in urban areas by 2017.
- The national sanitation coverage (which includes sewerage and onsite sanitation) is estimated at 68%.

#### ii). Rural Water Supply Programme:

- Rural water supply coverage improved from 47.1 percent in 2013 to 50.2% in 2017 countrywide.
- Rural access was boosted through rehabilitation and extension of rural water schemes where 199 new water and sanitation projects were constructed, 410 existing rural water supplies rehabilitated and 276 new boreholes drilled and equipped.





1. Tree planting was carried out on 403,034 ha of farms and dry lands.

2. In addition, 21,031.6 ha of industrial forest plantations and 40,987 ha of commercial forest woodlots were established during the period.

3. Further, 150,000 ha of farm and private commercial forestry and 2,649 ha of nature based enterprises (non-wood forest products) were established to increase forest cover <sup>18</sup>.

<sup>18</sup> Voluntary National Report for Kenya, 2017

## C. ACTION AND ACCOUNTABILITY

### 1. Investment to Improve Data and Accountability:



1. Kenya produces gender data sheets to guide policy formulation and planning.

2. But Kenya also admits that there is insufficient gender and sex disaggregated data to inform interventions that address inequality (CEDAW, 2016)

3. Kenya is focusing on strengthening KNBS to ensure quality and adequate data on SDGs

### 2. Sustainable Financing and Partnerships for Girls and Women

1. In 2016, the total government revenue as a proportion of GDP was 23.4% while the proportion of domestic budget funded by domestic taxes was 60.7%. The volume of remittances (in USD) as a proportion of total GDP accounted for 2.47% in 2016

