Gender Participatory Framework

Siaya Municipality

FOREWORD

This framework is designed to understand how the cultural, economic, political and social context impacts the relationship between women and men and how they will interact with the different services and projects that are designed for them. The intersectionality of poverty, religion, education and status also affect the participation of women and men in decision-making power, especially for women living in the urban and peri-urban areas.

Understanding that counties and municipalities were devolved to bring services closer to the people and to ensure that communities are able to meet their basic needs, having a Participatory Gender Framework that strengthens service delivery. Considering that the challenges faced mostly by women are unique in nature, addressing them must be demand driven. The Participatory Gender Framework provides a guide that recognizes the need to incorporate a multi-sectoral approach for holistic programming, given the many intersections affecting basic needs and achieving gender equality. It is on this basis that the proposed gender participatory framework, will demand of each sector to develop a specific framework to address access to basic needs, women economic empowerment and gender equality.

To advance the integration of the proposed gender consideration and if we are to transform our County into a gender equal space, will require enabling laws and policies, appropriate training, skills and attitude, collaboration and coordination across all the sectors, establishing and strengthening structures for service delivery unit, leadership, resources, political power and commitment. Our emphasis in establishing a Participatory Gender Framework is the start of the drive towards Gender Equality and will provide the principles that Siaya Municipal Board will apply whenever it is designing, planning, monitoring and evaluating impact of intervention of all its projects in an endeavor to provide a Municipality that is responsive to women's needs and capacities. This framework provides a legitimate point of reference for addressing gender inequalities at all levels within the Municipality and by all stakeholders. It further provides an avenue for gender mainstreaming across all sectors in order to generate efficient and equitable development outcomes.

Chairperson
Siaya Municipal Board

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DEFINITIONS OF KEY TERMS

Gender   Gender is a term that refers to socially and culturally constructed attributes associated with being female or male. Many societies not only categorize humans as "female" or "male" based on biological features but also give specific values to each and prescribed their respective roles and behaviors. Thus, gender not only refers to "sex" in a biological sense but also associates sex with specific roles and behaviors expected to women and men by society.

A perspective of gender (or gender perspective) is a perspective that focuses on gender issues, needs, and impacts arising from the different social roles and power relations of women and men in all spheres of the society, including policies, programs, institutions, and organizations. In development projects, this perspective is indispensable to deliver equitable benefits to women, girls and all other beneficiaries regardless of their gender

Gender Mainstreaming   Gender mainstreaming in a project means integrating a gender perspective in all the stages of the project: planning, implementation, monitoring, and evaluation.

CHAPTER 1: INTRODUCTION

1.1 Background

Urban planning and design literally shape the environment around us and that environment, in turn shapes how we live, work, play, move, and rest. As such, the processes of planning and design have a direct relationship with the structures and behaviors that define our societies, often both reflecting and reinforcing the inequities within them. While it is almost universally understood that women, girls, people with disabilities and older members of the society face significant social and economic disadvantages when compared with able-bodied men, and there is need to capture the diversity in the voices shaping it, which feed into and perpetuate gender inequity.

Key aspects of the built urban environment – related to access, mobility, safety and freedom from violence, health and hygiene, climate resilience, and security of tenure – create disproportionate burdens for women, girls, and sexual and gender minorities of all ages and abilities, thus exacerbating and reinforcing existing gender inequities. Faced with challenges ranging from transportation services that prioritize commuting over caregiving, to the lack of lighting and toilets in public spaces, many feel inconvenienced, ill-at-ease, and unsafe in the urban environment.

These issues stem largely from the absence of women, girls and sexual and gender minorities in planning and design decisions, leading to assumptions around their needs and the encoding of traditional gender roles within the built environment.

Importance of Gender-Inclusive Urban Planning and Design

- Demonstrate the ways in which gender inequities intersect with urban planning and design, with clear, digestible summaries of the negative impacts for women, girls, and sexual and gender minorities of all ages and abilities
- Make the clear economic case for addressing inequity and incorporating gender inclusion into urban planning and design
- Highlight the need to consider gender inclusion in an intersectional way, especially taking into account sexual orientation and gender identity, ability and age.

Gender-Inclusive Urban Planning and Design Process

- Set out overarching commitments to guide gender-inclusive planning and design processes toward meaningful, effective outcomes and long-term improvements in the status of women, girls and sexual and gender minorities.
- Provide practicable methodologies, activities, and good practices for incorporating and elevating the voices of women, girls, and sexual and gender minorities in participatory planning and design processes.
- Give clear and specific design guidelines.

Gender Gaps- Gender biases in the built environment contribute directly to gendered social and economic inequities**,** feeding into the systemic oppression of women, girls, sexual and gender minorities and those with disabilities. Faced with such a built environment, women, girls, and sexual and gender minorities of all ages and abilities often:

- Struggle to access gainful employment, education and other basic human endowments
- Struggle to accumulate wealth and achieve economic independence
- Spend more on basic services
- Have fewer social freedoms — hindering them from building social networks to cope with risk, stress, and shock
- Struggle to exercise agency in public decision-making, including decisions that shape the built environment

1.2 Gender Equality

Gender equality is a fundamental human right and a necessary foundation for a peaceful, prosperous and sustainable world. Mainstreaming gender into development is one of the central features of advancing gender equality. Gender mainstreaming is an essential element of good governance to ensure that institutions' policies and programs respond to the needs, concerns and interests of all stakeholders and distribute benefits equitably between women and men. The key provisions for gender equality in global and continental normative frameworks are prominently stated in Kenya Vision 2030.

The Government of Kenya (GOK) acknowledges the importance of gender equality in development. The Constitution of Kenya 2010 guarantees equality between female and male and supports their full participation and representation in social, economic, cultural, and political

spheres. The government's commitments to the integration of gender issues into national development is reflected in Kenya's signing and ratifying various instruments including regional and international treaties and conventions. At the national level, the case for gender equality has been strengthened over the years by national discourse, policy, and legal and regulatory reforms. Articles 2(5) and 2(6) of the Constitution of Kenya affirms the position of international law as part of Kenyan law.

Kenya is progressively making strides towards gender equality by developing policies and institutional mechanisms to implement gender mainstreaming. Pertinent to this agenda is the long-term development blueprint, Kenya Vision 2030, in which gender inequality is viewed as a key developmental challenge facing the country. Further, the development of Sessional Paper No. 02 of 2019 on National Policy on Gender and Development (2019), seeks to guarantee the integration of gender equality and women empowerment inconsideration to intersectionality and social inclusion into sectoral and institutional-based policies, planning, and programs.

Substantive gender equality between women and men in all dimensions of development is an indispensable tool for advancing socioeconomic progress and the elimination of poverty. Over the past two decades, the Government of Kenya has demonstrated a strong commitment to achieving gender parity in all spheres including in urban centers and cities.

Despite a progressive Constitution that promotes gender equality and women's empowerment, gender inequality remains a key issue of concern in Kenya. The patriarchal social order supported by statutory, religious and customary laws and practices; and the administrative and procedural mechanisms for accessing rights have continued to hamper the goal of attaining gender equality and women's empowerment. Progressive provisions in law have not delivered gender equality in practice raising the need to develop a policy that addresses the variety of manifestations of gender discrimination and inequality within the municipality's context of rapid and growing urbanization.

Today, the majority of the world's people live in urban centers. The global trend towards increasing urbanization promises to continue and is expected to grow even faster (UN-Habitat, 2010).

There are numerous factors that contribute to increasing urbanization: rural-to urban migration, land grabs and dispossession in rural areas, higher urban birth rates, opportunities presented by

urban-centered economic growth, conflicts, and natural disasters. The urban advantage has reduced considerably, with large urban populations living in slums and earning incomes significantly below poverty lines.

The negative consequences of urbanization are disproportionately borne by poor working women and men, young and old. These result from high living densities, overcrowded and inadequate housing, environmentally hazardous living conditions, and rising incidences of urban violence, as well as inadequate basic services such as safe and affordable water, sanitation, drainage, electricity, and solid waste management, in addition to educational, health, and social services.

Local and national governments have been ill-prepared for the rapid urbanization they are witnessing. Numerous factors can be attributed to this, including a lack of sufficient resources and capacity at the local level, as well as a lack of inclusive urban policies and priorities at the national level.

While urbanization offers many benefits, the ugly face of urbanization is urban poverty, which often has the most severe impact on women and girls, who suffers in varying degrees from poor sanitation, inadequate access to clean water, crime, unemployment, threats of evictions, overcrowding and poor quality housing.

Women in towns and cities often suffer disproportionately, not only because they are, on average, poorer than men, but often also because they experience greater difficulty in accessing resources and services tailored to their needs, and decision-making opportunities.

It is within this context and the Constitutional requirements for equality and nondiscrimination that the development of the Municipal Gender Participatory Framework is necessary. The Constitution is express on its gender equality provisions and aspirations. Article 2(6)) obliges the Government to implement the obligations of the international treaties it has ratified. This position has been further elaborated through the Treaty Making and Ratification Act, 2012. Further, the two-tier government under the Constitution is a basis for re-tooling the gender policy to ensure that it guides the activities of both levels of Government. The policy recognizes the country's commitment to the African Union Development Agenda 2063 and the United Nations Global Agenda 2030

This is because Women not only perceive and experience cities in a way different than men, but also use public spaces in different ways (UN Women/Safe Cities Global Programme/2009). The physical and spatial order of cities is particularly linked to women's and men's work patterns. Poor women living in insecure neighborhoods are more likely to need to commute in the late or early hours to and from work or to and from educational opportunities, and they are more likely to work as sellers in open markets. These routines may result in their being exposed to the risks of sexual assault, particularly if water collection is involved (UN Women/Safe Cities Global Programme/2009).

While many cities are hubs of economic growth, employment, and cultural life, urbanization has also resulted in pronounced socio-economic inequalities, exclusion, and segregation (UN Women/Safe Cities Global Programme/2009). In addition to urbanization itself, the lack of inclusive, gender-sensitive, and pro-poor policy frameworks and governance have led to exclusionary trends in urban development.

This divide can be seen by the growing number of gated communities, private security teams, high-rise apartment complexes, shopping malls, parks, and recreational facilities designated for the elite; meanwhile, marginalized groups and the poor majority face evictions and lack of housing, infrastructure, and services. This **'urban planning for the few**' does not promote sustainability and economic stability.

Siaya Municipality recognizes that urban planning is part of the larger context of urban governance and management, and recognizes the systemic impacts of discrimination- the examining of urban governance with gender and socio-economic dynamics of the urban in mind is a critical starting point in the assurance of equalities, inclusion, and urban sustainability

More specifically, low-income women, men, and other marginalized groups require further attention and inclusion in policies, projects, and decision making. Therefore, by pursuing **Gender mainstreaming** across the municipal functions, and service delivery offers an opportunity to create inclusive cities respecting the human rights of women and men of all ages and of diverse backgrounds. Only when the diverse experiences and needs of women and men are integrated into urban planning and design will it be possible to form inclusive urban planning procedures, public spaces, and land management

To this end, this Gender Participatory Framework Policy for the Municipality will provide a uniform approach towards mainstreaming gender in the institution including among others:

a) A framework for action in inculcating gender sensitivity in the Municipal's mandate and intentionally address underlying barriers such as gender stereotyping, gender discrimination, and gender influence on career choices.

b) A Gender-friendly environment for both the Municipality and private sectors within the municipality with appropriate support systems and incentives.

c) Improved municipality's capacity on gender competence at all levels through a range of measures relevant and applicable.

d) Interconnectivity of the social, economic, institutional, and systemic gender transformational measures across the Municipality's ecosystem.

e) A guide for statutory requirements on the gender-responsive workforce.

f) Gender-focused capacity building and knowledge management for Municipality.

This gender policy is therefore considered a guide for the Municipality as it delivers on its Mandate as espoused in the Urban and Cities Act, 2011. It, therefore, applies at the following four levels:

a) **Institutional level**: mapping and analyzing the existing gender-based situation and the ongoing different programs, projects, policies, processes and administrative operations, both quantitatively and qualitatively, seeking to identify gender gaps and inequalities so that appropriate measures to address the gender disparities can be determined.

b) **Policy level (the Municipal Board)**: Mapping and analyzing the existing gender issues within the institution and sectors to inform responsive policy decisions and interventions.

c) **Programmatic level (Technical)**: an in-depth focus at the training programming cycle, inculcating gender training needs assessment, designing programs/projects, establishing monitoring and evaluation systems, and gender-responsive indicators.

d) **Partnership's level (Private Sectors and Donors)**: striving to foster strategic partnerships (with the private sector, development partners, and non-state actors) for the advancement of a gender-sensitive and responsive urban center ecosystem (Municipality).

1.3 Purpose- long-term, and meaningful goals

The Gender Participatory Framework serves as a guide for all stakeholders of Siaya Municipality programs, projects and regulatory measures to understand gender issues, the importance of gender mainstreaming in the urban sector, and how to incorporate a gender perspective into each stage of a project and policy development cycles.

Its main focus is on Urban development project strategies and priority issues especially on the Municipality management, planning, master plans for urban planning, smart cities, sustainable

urban development, development and utilization of Geospatial information and Transit Oriented Development (TOD)- creating vibrant, livable, and sustainable communities

1.4 Policy Statement

To ensure better inclusion of women and their needs when shaping policy, the Siaya Municipality shall engage women in local governance and decision-making processes and applying a gender lens in different areas of policy-making, such as Municipality's planning, budgeting and development strategy.

The policy supports the Municipalitys' efforts in delivering sustainable development and address urban poverty by promoting inclusive urban center that engage all the residents, including women, the young and elderly people, persons with disabilities and provide them with equal access to urban opportunities.

This policy will guide Siaya municipality to be truly inclusive of all who live and work in it, and to ensure that they are climate-resilient.

1.5 Objective

The overall objective of the policy is to deliver sustainable development and address urban poverty by promoting inclusive urban center that engages all the residents, including women, the young and elderly people, and provide them with equal access to urban opportunities.

The specific objective of this Gender Participatory Framework is to:

1. Increase understanding of gender concerns and needs in urban planning and design
2. To promote equity, inclusion, affirmative action and diversity within the municipality
3. To promote gender-responsive governance and leadership within the institution
4. To strengthen the Municipality's institutional capacity on gender mainstreaming at all levels.
5. To promote a gender-responsive and inclusive organizational culture, work, and learning environment within the Municipality.
6. To promote collaboration and partnership to advance gender mainstreaming within the Municipality's sectors.
7. Encourage staff and partners to integrate gender perspectives into policies, projects, and programmes for sustainable urban development
8. Support institutionalization of the culture of gender mainstreaming and gender equality through the implementation of gender-sensitive projects/programmes and the monitoring of gender mainstreaming progress

1.6 Scope

The policy focuses on Gender Mainstreaming and a strategy for making women's as well as men's concerns and experiences as an integral dimension of the design, implementation, monitoring, and evaluation of policies, programs and projects in all social, political, civil and economic spheres so that women and men benefit equally.

1.7 Legal and Institutional 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

1.7.1 International Frameworks to Achieve Gender Equality in the Urban Development Sector

1. The 2030 Agenda for Sustainable Development and Sustainable Development Goals (SDGs*)***

Gender equality and women's empowerment are considered a prerequisite for achieving the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development. In other words, gender equality and women's empowerment are the means to realize all 17 goals and 169 targets, and actions for achieving gender equality and women's empowerment are required. Among the 17 goals, Goal 5, which addresses gender equality and women's empowerment, aims to empower women and eliminate gender-based discrimination and build a society in which all people equally enjoy their rights and opportunities, and share responsibilities. The following is a list of targets of Goal 5, which is related to the urban development sector: -

- 5.1 End all forms of discrimination against all women and girls everywhere
- 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

- 5.4 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.
- 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.
- 5.6 Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws
- 5.7 Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women
- 5.8 Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels

The table below shows other Goals, Targets and Global indicators relevant to the urban development sector and gender equality and women's empowerment, except for Goal 5.

Table 1 Goals, Targets and Global Indicators

Goal	Target	Target Indicator
Goal 9: Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation	9.1 Develop quality, reliable, sustainable and resilient infrastructure, including regional and trans-border infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all	9.1.1 Proportion of the rural population who live within 2 km of an all-season road 9.1.2 Passenger and freight volumes, by mode of transport
Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable	11.1 By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums	11.1.1 Proportion of urban population living in slums, informal settlements or inadequate housing

	11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons	11.2.1 Proportion of population that has convenient access to public transport, by sex, age and persons with disabilities
	11.3 By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries	11.3.1 Ratio of land consumption rate to population growth rate 11.3.2 Proportion of cities with a direct participation structure of civil society in urban planning and management that operate regularly and democratically
	11.5 By 2030, significantly reduce the number of deaths and the number of people affected and substantially decrease the direct economic losses relative to global gross domestic product caused by disasters, including water related disasters, with a focus on protecting the poor and people in vulnerable situations	11.5.1 Number of deaths, missing persons and directly affected persons attributed to disasters per 100,000 population 11.5.2 Direct economic loss in relation to global GDP, damage to critical infrastructure and number of disruptions to basic services, attributed to disasters
	11.7 By 2030, provide universal access to safe,	11.7.1 Average share of the built-up area of cities that is

	inclusive and accessible, green and public spaces, in particular for women and girls	open space for public use or all, by sex, age and persons with disabilities 11.7.2 Proportion of persons victim of physical or sexual harassment, by sex, age, disability status and place of occurrence, in the previous 12 months
	11.b By 2020, substantially increase the number of cities and human settlements adopting and implementing integrated policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and develop and implement, in line with the Sendai Framework for Disaster Risk Reduction 2015-2030, holistic disaster risk management at all levels	11.b.1 Number of countries that adopt and implement national disaster risk reduction strategies in line with the Sendai Framework for Disaster Risk Reduction 2015–2030 11.b.2 Proportion of local governments that adopt and implement local disaster risk reduction strategies in line with national disaster risk reduction strategies

1.7.2 United Nations Conference on Human Settlements (1976, 1996, 2016) and New Urban Agenda (2016)

In 1976, the first United Nations Conference on Human Settlements (Habitat I) was held in Vancouver, Canada, wherein issues such as excessive urbanization were recognized as international challenges. The second United Nations Conference on Human Settlements (Habitat II) was held in Istanbul, Turkey, in 1996 and adopted the Habitat Agenda, a global action plan to provide adequate living conditions for all, including women.

In 2016, the third United Nations Conference on Human Settlements (Habitat III) was held in Quito, Ecuador, wherein the New Urban Agenda based on the achievements of countries in the 20 years since Habitat II was formulated as an international policy to address a wide range of human settlement issues by linking rapid urbanization to growth. The New Urban Agenda includes the following gender-related policies:

- Achieve gender equality and empower all women and girls
- Ensure women's full and effective participation and equal rights in all fields and leadership at all levels of decision-making
- Ensure decent work and equal pay for equal work, or work of equal value, for all women
- Prevent and eliminate all forms of discrimination, violence and harassment against women and girls in private and public spaces
- Promote age- and gender-responsive planning and investment for sustainable, safe and accessible urban mobility for all

1.7.3 Global Initiative (2011)

UN Women's Global Flagship Programme Initiative "Safe Cities and Safe Public Spaces for Women and Girls" works with women's organizations, local governments, UN agencies, and other partners to develop, implement, and respond to comprehensive approaches to prevent and respond to sexual harassment against women and girls in public spaces in different settings. The effort began in Quito (Ecuador), Cairo (Egypt), New Delhi (India), Port Moresby (Papua New Guinea), and Kigali (Rwanda) and has spread to over 50 cities including Sakai, Japan.

Partner cities have implemented four main activities: -

1. Identify gender-responsive locally relevant and owned interventions.
2. Develop and effectively implement comprehensive laws and policies to prevent and respond to sexual violence in public spaces.
3. Investments in the safety and economic viability of public spaces.
4. Change attitudes and behaviors to promote women's and girls' rights to enjoy public spaces free from violence.

1.7.4   African Union Development Agenda 2063

Agenda 2063 is Africa's development blueprint to achieve inclusive and sustainable socio-economic development over a 50-year period.

1.8 National Frameworks

a. Constitution of Kenya, 2010

Constitution of Kenya of 2010 protects the right to property for all citizens without discrimination prohibited under article 27 of the same. Article 43 1 (b) specifically recognizes housing as a right for all citizens without discrimination as above. These rights are enforceable in courts of law and other judicial mechanisms recognize for that purpose.

Kenya's 2010 constitution established a groundbreaking gender quota, requiring "not more than two-thirds of elective public bodies shall be of the same gender.

b. Vision 2030

Kenya's Vision 2030 provides a long-term development framework and initiatives aimed at sustaining rapid economic growth and tackling poverty. Under Vision 2030, Kenya hopes to become a globally competitive and prosperous nation with an all-inclusive high quality of life by 2030 for all including the women

c. Land Act and the Land Registration Act,2012, increasing women's rights over marital property.

d. Protection against Domestic Violence Act, 2015, addressing the issue of domestic violence for the first time.

Table 2 Summary of national legislative framework addressing Gender inequality and SGBV

Statute	Summary
The Constitution 2010	Provides that every person has right to freedom and security of their person which includes the right not to be subject to any form of violence from either public or private sources, any form of torture whether physical or psychological or cruel, inhuman or degrading treatment. The right to security means that the Constitutions safeguards women's right against SGBV and any other related form of gender-based violence.
The Penal Code Cap 63 Laws of Kenya	Other than bigamy which is provided for under section 171, there are no provisions for such forms of SGBV as marital rape, wife or husband battery, domestic violence etc. Some of these offences are only derivative of main offences such as assault under section 250 and 251.
The Children Act, 2021	Provides for a child care, administration institutions, and sets the age of sexual consent at 18 years in line with Convention on the Rights and Welfare of the Child.

HIV & AIDS Prevention and Control Act 2006	Prohibits deliberate transmission of HIV/AIDS and outlaws discriminatory acts and policies based on ones HIV/AIDS status in all places and safe guards rights and dignity of those already affected
The Sexual Offenses Act, 2006	Provides for prevention and the protection of all persons from harm from sexual acts and access to justice and psychosocial support
Employment Act, 2007	The Act prohibits discrimination and sexual harassment of employees on the basis of sex, guaranteeing equal remuneration for work of equal value. Child Labour prohibited
Counter Trafficking in Persons Act, 2010	Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children.
Prohibition of Female Genital Mutilation Act, 2011	Prohibits the practice of Female Genital Mutilation and safeguards against violation of a person's mental or physical integrity
The Land Act, 2012	Secures rights of women to matrimonial property
The Land Registration Act, 2012	Requires spousal consent in any dealing with matrimonial property
Matrimonial Property Act, 2013	Provides for the rights and responsibilities of spouses in relation to matrimonial property.
Marriage Act, 2014	Provides for the minimum age in marriage and types of marriages. The Act guarantees parties to a marriage, equal rights at the time of the marriage, during the marriage and at the dissolution of the marriage.
The Protection Against Domestic Violence (PADV) Act, 2015	Provides for the protection and relief of members of a family from domestic violence.
The Computer Misuse and	Provides for offences relating to computer systems; to enable timely and effective detection, prohibition, prevention, response, investigation and

Cybercrimes Act, 2018	prosecution of computer and cybercrimes; to facilitate international co-operation in dealing with computer and cybercrime matters; and for connected purposes.
The Witness Protection Act 2010	Provides the frameworks and procedures for giving **special protection** to persons with important information and who are facing potential risk and/or intimidation due to their cooperation with prosecution and other reporting agencies
The Persons With Disability Act 2003	Provides for the rights and rehabilitation of PWDs and to achieve equalization of opportunities

1.9 The Scope of the Gender Participatory Framework

The Policy will apply specifically and directly to the Municipal, and it is also expected that the principles, strategies and approaches in the policy shall also apply to the, private sector and civil society. This Policy aims at achieving equality of opportunity and outcomes with respect to access to and control of Municipal's resources and services; and equality of treatment that meets the specific and distinct needs of different categories of women and men.

Special programs and the commitment of additional resources will be required to achieve these outcomes. Although this framework is concerned with all categories and aspects of gender, special focus will be on the empowerment of women who are currently the marginalized gender. The policy identifies a set of factors that will act as indicators for measuring the implementation and effectiveness of the gender and development agenda.

If concerted efforts are made and adequate resources are allocated to the processes of institutionalizing gender equality and the empowerment of women as proposed in this policy, the result will be a fairer and transformed society in which women and men will benefit in the following ways:

      a. Equality of treatment and Freedom from Discrimination as provided for under Article 27 of the Constitution;

      b. Equality in the political, social, economic and cultural development spheres for women and men;

      c. Respect for the human rights of women, men, boys and girls;

      d. Respect for provisions on equality in the Bill of Rights in civil, administrative and judicial regulations and procedures and customary, cultural and religious practices;

e. Enforcement of statutory, religious and customary laws within the framework of this policy and the Constitution; and

f. The Municipal will be equipped with relevant gender responsive requirements for planning, budgeting and implementing development programmes.

CHAPTER 2: SITUATION ANALYSIS

2.1 Introduction

This section provides a broad sectoral overview of the critical issues which impact on the Kenya's and Siaya Municipality's progress towards gender equality. The situational analysis focuses on key development sectors that are thematically sequenced along the Beijing Platform for Action and gender related treaties and conventions. This policy has also been aligned with current development blueprints including the **Governor's Manifesto** dubbed "**Nyalore**". A range of gender-related challenges and problems have been identified in each thematic area and key issues identified**.**

2.2 Thematic Areas and Key Issues

2.2.1 Population Size and Composition

Population size, structure and distribution against the county resource endowment are major challenges to the setting of priorities for development and in implementing plans. In 2009, the population of the county was 842,304 consisting of 398,986 males and 443,318 females, while population for Siaya Municipality is 79,000 comprising of females and males. This figure was projected to increase to 1,027,795 consisting of 488,077 males and 539,718 females in 2018. The population has been further projected to rise to 1,114,735 comprising 529,646 males and 585,088 females and 1,285,971 comprising 610,179 males and 675,792 females in 2022 and 2030 respectively. The population of the county is dominated by females at 53 percent against 47 per cent males due to high mortality rate for males between ages 0 years to 19 years and high life expectancy for females.

Key issues

a) The rapidly increasing population requires increased investments in basic social infrastructure and utilities such as schools, health facilities, water, sanitation and services.
b) High dependency ratios.

2.2.2 Poverty

Poverty is now defined to include not only lack of material or monetary resources but also the structural and systemic factors that impact on people's capabilities, opportunities and agency in political, social and economic spheres. Poverty has taken a gender dimension in Kenya where women are poorer than men according to the various Economic Surveys. This is exemplified by

the fact that men by far outnumber women in various categories of basic human development indicators as indicated by UNICEF (2016).

Around 185,819 people live in extreme poverty in the county. The world tracker approximates that 2.5 people escape poverty in Siaya which is more than double the set target of 1.2 people per hour. The causes of poverty are structural and systemic and hinge on the social organization that relegates women to a position of lesser power over resources, decision making in the management of national affairs and access to opportunities. Poverty makes it difficult for women to realize rights in areas such as politics, decision- making, education, health, the economy and access to justice even when these are provided for in the law

Key issues:

    a. Implementing gender responsive poverty eradication initiatives;

    b. Adequate representation of women in key development management committees of national and devolved funds;

    c. Capacity building women targeted for specific Affirmative Action funds and Access to Government Procurement Opportunities (AGPO); and,

    d. Eradicating cultural practices that limit women's access to resources and assets

2.2.3 Access to Labour and the Economy

Kenyan women largely make a real but invisible contribution to the economy because their contribution to the GDP through the informal sector is not recognized. Women economic activity is largely concentrated in subsistence agriculture and the informal business sector, while men tend to dominate in the formal. On average, women work longer hours (12.9 hours) compared to men (8.2 hours) yet they earn less because most of these hours are taken by unremunerated work4 despite contribution to mainstream economic activities.

In Siaya County, the labour force population is estimated at 476,485 (209,486 males and 266,999 females) in 2018 and this number is projected to increase to 510,013 (224,226 males and 285,787 females) and 584,313 (256,892 males and 327,421 females) persons in 2022 and 2030 respectively. These economically active people represent 48.5 per cent of the total population therefore there is need for more resources to be channeled to employment driven investments to reduce the burden of dependency and poverty. Besides there is need to maximize on the availability of universities and set up appropriate tertiary training institutions to cater for the primary and secondary school drop-outs to boost skills and competency within the county.

Key issues*:*

    (a) Gender inequalities in the job market with percentage of women in the formal employment in Kenya accounting for about 30 per cent;

    (b) Women working in poorly paid jobs in the largely unregulated informal sector worsened by most women working in family owned and home-based businesses where their work is subsumed into unpaid domestic labour;

    (c) Macro-economic and sectoral policies are not gender responsive;

    (d) Women and youth lack collateral including land ownership that restricts their access to credit; and

    (e) Balancing the social and economic roles which hinders women's effective participation in entrepreneurship

2.2.4 Access to Education

Education is a fundamental right under Article 43 of the Constitution. Articles 53, 54 and 55 of the Constitution emphasize the primacy of the right to education for the youth, persons with disabilities and children. Article 56 emphasizes the need for affirmative action for marginalized groups such as women, girl-children and marginalized communities such as those living in the arid and semi-arid areas of Kenya (ASAL).

Enrolment of both boys and girls in primary and secondary schools has been increasing from 2009 to 2018 and is almost at per with 49.1% and 47.3% of girls accounting for total enrolment rates respectively. Females also account for 41.3% of university (public and private) in enrolment while 43% of females were enrolled to technical and TVET institutions. In adult education, female learners accounted for 69.2%. Performance of girls has shown remarkable improvements especially in secondary schools over the years since 2013. However, only in 2016majority of girls (58.9%) scored better than boys at the highest grade of A. Generally, girls have scored high marks but averagely boys have always performed better.

Key Issues*:*

    (a) Weak mechanisms for coordination and cooperation between national and county governments in the provision of education;

    (b) Low transition rate among the boys and girls to secondary school and institutions of higher learning;

    (c) Boys and girls drop out of school to assume household headship roles in the absence parents;

(d)   Prevalence of child labour; (e) Socio-cultural practices such as Female Genital Mutilation (FGM), defilement;

(e)   unwanted pregnancies and child marriages hamper girls' education;

(f)   Absenteeism and retention of girls in school; and

(g)   Emerging issues such as betting, misuse of mobile phones and cyber space.

2.2.5 Access to Health Care

The right to health is provided for under Article 43 of the Constitution. This includes the right to reproductive health care. It also provides that a person shall not be denied the right to emergency health care. In the Kenyan context, a major barrier for women to the achievement of the highest attainable standard of health is inequality, inaccessibility, unacceptability and unaffordability of quality health services both between men and women and among women in different geographical regions, social classes and indigenous and ethnic groups. For instance, life expectancy at birth in Kenya dropped from 57.5 years in 1990 to 51.8 years in 2000 but rose to 66.7 years by 2015 and 67.3 years in 2018 growing at an average annual rate of 0.41 %.5 Female life expectancy increased from 69.1 years in 2015 to 69.9 years in 2018 growing at an average annual rate of 0.35%.

Maternal mortality has shown some improvements, as per Kenya Demographic and Health Survey (KDHS) 2014 the ratio stood at 362 deaths per 100,000 live births compared to a high ratio of 488 deaths per 100,000 in the 2008-09 KDHS. The prevalence of HIV has been higher among women compared to men. Statistics indicate that more than half (58.4%) of the infected were women in 2000. In 2017, the National adult HIV prevalence rate had reduced and was estimated at 4.9% with prevalence higher among women (5.2%) than men (4.5%)

Key Issues*:*

(a)   Maternal mortality remains high in Kenya, but has shown a decline from 488 deaths per 100,000 live births in 2008 to 362 deaths per 100,000 live births in 2014 nationwide with regional disparities;

(b)   The proportion of registered medical personnel per thousand population rose to 368 in 2018 from 355 in 2017 which is below the WHO recommended average

(c)   Women are still burdened with preventable diseases, such as HIV/AIDS, malaria and tuberculosis (TB);

(d)   Outdated cultural practices such as 'wife inheritance', which exacerbate the spread of HIV/AIDS;

(e)   Expectant mothers are prone to malaria due to poverty and limited access to sleeping nets;

(f)   Women have borne the greatest brunt of TB infections and maternal mortality is still high; and

(g)   Mental health as an aspect of health, which is not given as much emphasis as other health conditions, and yet 'there is no health without mental health'. There are specific links between mental health and women's reproductive health and sexual and gender-based violence

2.2.6 Land, Housing and Agriculture

Land is critical to the economic, social and cultural development of Kenya. It is a key factor of production and lack of access to land affects the enjoyment of other rights. Culture and traditions continue to support male inheritance of family land while the implementation of gender sensitive family laws is slow. There is conflict between constitutional and international provisions on gender equality vis-à-vis customary practices that discriminate against women in relation to land ownership and inheritance. Women are also not sufficiently represented in institutions that deal with land and their rights under communal ownership are not defined making it easy for men to dispose of family land without consulting women. Few women have land registered in their names and the lack of financial resources restricts their entry into the land market. Only eight percent of women own a house alone and 7 percent own land alone. Forty-two percent own a house and 39 percent of women own land (alone, jointly, or both) (KDHS, 2014).

Without secure rights to land, women's participation in and benefit from land uses such as agriculture is inhibited. Yet women provide up to 75% of agricultural labour. They produce food crops for domestic consumption and provide labour for commercial farming where they are paid a pittance. Women also have less access to modern farming technology. The situation is compounded by the delineation of agriculture as a function of the county government necessitating coordination and cooperation between the national and county governments through the Intergovernmental Relations Act, 2012. Lack of secure rights to land also impacts on housing rights for women.

The rights of married women and widows have not been secured in practice. The Constitution however specifically provides for the rights of women to the matrimonial home and the protection of the rights of dependents of deceased persons holding interests in land including spouses in actual occupation of the land in Article 68. This was to forestall a situation where women were left homeless upon divorce or in the event of the death of their spouses when relatives of the deceased grabbed the property from the widow. The Constitution also specifically provides for equitable

access to land, security of land rights and elimination of gender discrimination in law, customs and practices related to land and property among the principles of land policy.

The National Land Policy, 2009 also seeks to protect the land rights of women and other vulnerable groups. While the Land Registration Act, 2012 provides for joint spousal registration of land and joint spousal consent in dealings with land, the Land Law Amendments, 2016 deleted the provision in the Act that provided for the recognition of spousal rights over matrimonial property and land as overriding rights over any registered land. This affects women's rights to the matrimonial property.

Article 43 of the Constitution provides for the right to accessible and adequate housing with Article 21 requiring the Government to take appropriate measures including the setting of standards to ensure that this right is achieved. The Government has initiated the process of developing the National Slum Upgrading and Prevention Policy which is guided by The National Housing Policy, 2004, the National Land Policy, 2009, the Constitution, and Kenya Vision 2030.

Key issues:

    (a) Secure land rights for women affect to enable their participation in and benefit from agriculture through legislation;

2.2.7 Environment and Natural Resources

Access to and control over environmental resources is gender biased. Men are the main actors in the management of renewable and non-renewable natural resources such as forests, wildlife, minerals and natural gas. This has significant implications on the Gross Domestic Product and the livelihoods of Kenyans dependent on the environment and natural resources. The Nation should engage in sustainable development that takes into account the interests of Kenya within and across generations by ensuring that the resources are not polluted, inequitably allocated or diminished.

The Constitution in Article 42 guarantees the right to a clean and healthy environment. Articles 69-72 further provide for obligations in respect of the environment, enforcement of environmental rights, and protection and exploration of natural resources. These provisions are replicated in Kenya Vision 2030, the National Environment Policy, 2013 and the Environment Management and Coordination Act, 1999 among others. Kenya is also party to Multilateral Environmental Agreements that underscore sustainable development and equitable access to environmental resources thus raising the obligation to factor gender considerations in the management of the environment and natural resources at the national level.

Climate change was identified in the UNDP Human Development Report, 2011 as a threat amplifier meaning that those already marginalized on account of gender would be more

marginalized by climate change impacts. Climate change continues to threaten livelihoods in low human development index nations and will worsen the most lingering environmental threats such as deforestation, water scarcity and land degradation.

Women in developing countries such as Kenya are particularly vulnerable to climate change because they are highly dependent on local natural resources for their livelihood. Women charged with securing water, food and fuel for cooking and heating face the greatest challenges. Women also experience unequal access to resources and decision-making processes over the resources, with limited mobility in rural areas. It is thus important to identify gender-sensitive strategies that respond to these crises for women. Research indicates that people's limited access to resources, restricted rights and muted voice in shaping decisions makes them highly vulnerable to climate change.

Kenya has a huge clean water deficit and the demand for clean and safe water is increasing phenomenally. The burden of sourcing for, ferrying, and distributing water for domestic use has been largely left to women, thus providing yet another ground for subordinating and marginalizing women and girls. The right to water provided for in Article 43 of the Constitution requires that water be accessible, affordable and of good quality. Gender related uses of water are not prioritized and because of the gender division of labour, women and girls miss the opportunity to attend school and to participate in income generating activities in the search for water. In Kenya, the poor living in informal settlements pay more for water than the rich and the poor and vulnerable are the most impacted by water scarcity and poor sanitation. Effective reforms in this sector shall give women and girls more leverage in education and opportunity to engage in gainful employment. Given that water resource management is a function of the National Government while water service provision is a function of the County Government, coordination and cooperation between the two levels of Government must be actualized through the Inter-Governmental Relations Act, 2012 to make the right to water a reality.

Key issues:

    (a)   Have women well represented in decision-making processes over the environment and natural resources;

    (b)   Factor women's input into climate change adaptation and mitigation strategies;

    (c)   Capacity build women on the negative effects of deforestation to be able to contribute towards sustainable natural resource management and climate change mitigation and adaptation;

    (d)   Reduce gender disparity in access to natural resources;

(e) Provide affordable clean water to reduce health risks related to poor quality of water; and,

(f) Provide gender-disaggregated data on the impacts of environmental and natural resources' degradation and climate change.

2.2.8 Peace and Security

Kenya is directly and indirectly affected by conflicts. Being in the Greater Horn of Africa, Kenya has hosted refugees from war torn countries for many years and internally, has had political conflicts such as the 2007/2008 Post-Election Violence. Men and women are affected by conflict in diverse ways. Men are usually the combatants while women either play support roles or are casualties of the conflict. Sexual and Gender-Based Violence is exacerbated by armed conflicts and redress is difficult.

Several initiatives have been undertaken in Kenya to deal with gender in situations of armed conflicts. For example, the United Nations Security Council Resolution 1325 (UNSCR 1325) on women, peace and security has been made operational through the Kenya National Action Plan (KNAP). The KNAP recognizes the centrality of women's contribution to conflict prevention and resolution, peace keeping and peace building as well as their inclusion. It also recognizes the value of women's contribution to peace and conflict management processes towards achieving sustainable peace.

Efforts have been made to ensure women participate in peace processes. Kenya has seen an increase in the number of women in Kenya's district peace committees (DPCs) from 14% in 2014 to 29% in 2017. 45% of the counties in Kenya have met the threshold set by the constitution on women representation.

Key issues:

(a) Involvement of women in peace and security matters;

(b) Minimize women exposure to disproportionately risks in conflict situations;

(c) Implement the Kenya National Action Plan on UNSCR Res. 1325/1820 adopted in 2016;

(d) Prosecute perpetrators and perpetuators of violence during internal political conflict;

(e) Increase the institutional capacity of security agencies to deal with Gender Based Violence; and

(f) Enable adequate representation of women in decision making positions among security agencies dealing with peace and security matters.

2.2.9 Governance, Power and Decision-Making

Governance is the bedrock of efficient, effective, transparent and sustainable delivery of services. Having more women participating in governance and in positions of power and decision-making would ensure that women are actively involved and make their contribution. While women comprise more than half of Kenya's population, they lag behind in governance, power, decision-making and elective politics. Men have dominated the Kenyan Parliament over the years and this adversely affects women involvement in decision making processes. It is noteworthy that women's representation in the National Assembly has been increasing at a slow rate from 8.1% in 2002 to 10% in 2007 and 19.8% in 2013. This did not change radically in 2013 despite the provision of a gender quota through the forty-seven (47) seats reserved for women representatives at County level. Nevertheless, remarkable progress has been made in the appointment of women in senior leadership positions in the Executive, Legislature, Judiciary and private sector. Remarkably since the August 2017 general election, there are improvements on the number of women in the National Assembly (21.8%), the Senate (26.9%), Governors (6.4%) and in the County Assemblies (30.5%). The remarkable improvements realized in County Assembles are as a result of the constitutional framework that obligates political parties to nominate women so as to attain the Two-Thirds Gender Principle.

Key issues

1. Ensure the compliance of the not more than two-third gender principle

2.2.10 Information and Communications Technologies (ICT)

In a fast-changing world, the power of Information Communications Technology (ICT) cannot be underestimated. This is true, especially, with the emergence of Internet communication, e-commerce, e-governance, and e-education among other contemporary applications of ICT. Information Communication Technologies can be powerful instruments for advancing economic and social development through the creation of new economic activities, employment opportunities, improvements in health-care delivery and the enhancement of networking, participation and advocacy within society. ICT has the potential to improve interaction between Governments and citizens, thus fostering transparency.

International Telecommunications Union Resolution 70 on *'Mainstreaming a gender perspective in ICT and promotion of gender equality and the empowerment of women"* recognizes that ICTs are tools through which gender equality and women empowerment can be advanced and are integral to the creation of societies in which both women and men can substantively contribute and participate.

Challenges still exist in women's access to ICT despite the exponential increase in the use of wireless communications and the Internet in Kenya as evidenced by the use of laptops, mobile phones, tablets, and television among other technological gadgets. Cultural and social attitudes are often unfavourable to women's participation in the fields of science and technology, limiting their opportunities in ICT.

Key issues:

(a)   Capacity building the society to transform traditional, cultural and social attitudes to enable the participation of women in science and technology to increase access to opportunities in ICT; and,

(b)   Encourage women participate in mathematics, science and technology as fields of study

2.2.11 Respect of Human Rights for All

The Constitution provides for equality, non-discrimination and a raft of civil, political, economic and social rights in the Bill of Rights premised on the fact that human rights are inalienable, interdependent and applicable to all human beings and their enjoyment is a basic requirement and standard for the enjoyment of life. These constitutional provisions domesticate the international and regional ratified legal instruments and commitments that women rights are human rights.

Key issues:

(a)   Full implementation of the Bill of Rights; and,

(b)   Encouragement and capacity building of Women Rights' defenders.

2.2.12 Sexual and Gender Based Violence (SGBV)

Sexual and Gender Based Violence (SGBV) is based on socially ascribed gender differences between men and women which define power relations between men and women regarding who makes decisions and who owns resources. SGBV affects women; girls, men and boys but women and girls are disproportionately affected.

Gender Based Violence leads to a violation of many other rights. For instance, sexual violence often leads to a violation of the right to health (in the event that a woman is infected with a sexually transmitted disease, for instance through rape) as well as the right to reproductive health care. Moreover, social economic rights to necessities such as housing, water and sanitation are affected when a woman is denied access to financial resources as a means of punishment. In some instances, the right to freedom of movement is also curtailed, as is women's access to employment and education.

All forms of SGBV are a major cause of mental health problems to the respective persons affected. Emotional abuse causes as much harm as physical and sexual abuse while it is not reported to the police or recognized by the survivors. It is a major cause of mental health.

According to the Economic Survey, 2017, reported offences against morality (including: rape, defilement, incest, sodomy, bestiality, indecent assault, abduction and bigamy) increased from 4,809 in 2012, to 5,184 in 2014 and 6,228 in 2016. In Kenya 45% of women and 44% of men age 15-49 have experienced physical violence since the age of 15 (KDHS, 2014). Studies have also reported higher rates of Post-Traumatic Stress Disorder (PTSD) and depression among survivors of intimate partner violence (IPV) compared to those not exposed. 80% of the women who had reported rape, stalking and physical abuse by an intimate partner were found to have symptoms of PTSD.

Implementation of the Sexual Offences Act, 2006 has been very slow because of the evidence requirements and court processes and procedures which take time leading to many survivors getting tired and dropping the cases.

Key issues:

(a) Kenya has numerous pieces of legislations, policies and programmes promoting response and prevention to SGBV;

(b) Various initiatives have been taken to deal with Sexual and Gender Based Violence in Kenya including the establishment of Gender Desks in police stations, capacity building on SGBV supporting toll free SGBV hotlines and, increased advocacy against SGBV; (

(c) Improve Government administrative and health facilities evidence preservation technologies for use during prosecution;

(d) Increased sensitization and capacity building of the National Police Service, strengthening of the Gender Desks at Police stations to facilitate reporting of SGBV;

(e) Encourage use of Alternative Dispute Resolution mechanisms for the prevention of Sexual and Gender-Based Violence;

(f) Improve Government support in providing support services such as shelters for GBV survivors;

(g) Engage with women and men engaged in sex work and Injecting Drug Users (IDUs) to minimize vulnerability to GBV;

(h) Provide a Minimum Benefits Package under Universal Health Care to enable GBV survivors to get health services; and

(i) Research on SGBV to identify underlying and systemic causes and the best ways of addressing them

2.2.13 Access to Justice

Access to justice is critical for the realization of the right to equality and nondiscrimination. The Constitution obligates the State to ensure access to justice for all persons and any fee required should be reasonable so as not to impede access to justice. Access to justice can be hindered by cost, inadequate forums and the procedures and processes of dispute resolution.

Notwithstanding the constitutional provisions, discrimination, inequality and violation of rights is still prevalent due to physical, technical and financial barriers. The challenge presented by inaccessibility of justice is that most women find themselves the subject of injustice at the hands of a patriarchal society where disinheritance and SGBV are prevalent. Most Kenyans prefer to seek redress through alternative or traditional dispute resolution mechanisms rather than the formal court system. These alternative mechanisms of justice are often faster, more accessible and cost effective. The Constitution has taken cognizance of this reality and provides for the promotion of alternative forms of dispute resolution. The challenge is ensuring these alternative mechanisms of justice meet a certain minimum standard and do not violate human rights.

Key issues:

(a)   Lower the cost of litigation;

(b)   Increase access to legal services and justice;

(c)   Reduce case backlog due to heavy caseload, unnecessary adjournments and corruption; and

2.2.14. Institutional Mechanisms for the advancement of Gender Equality and Empowerment of Women

National mechanisms and institutions for the promotion of gender and empowerment of women are critical for the promotion of gender equality and women's empowerment. The Beijing Platform for Action and the Convention on the Elimination of all Forms of discrimination calls on member states to strengthen the effectiveness of national institutions by placing them the highest political level with adequate staffing and requisite resources. The national machineries for the promotion of Gender Equality are faced with limited financial and human resources and over lapping mandates with some institutions that promote human rights. The linkages among the institutions including the county government is not fully developed thus hampering effectiveness towards the full realization of gender equality.

Key issues

(a)   Limited financial and human resources;

(b)   Overlaps in the mandates of the various institutions; and

(c)   Unclear linkages among the institutional mechanisms including the County Governments.

2.3 Challenges Faced by Women Living in The Urban Centers and Cities

Women's work in the care, formal, and informal economies determines how they live in cities, as well as what services and infrastructural systems they use and when. Women's multiple responsibilities – e.g. providing food and water, maintaining a household, and caring for children, elders, and sick family members – lead to diverse interactions with the city. Their work determines how often they navigate their neighborhood or city, at what times of day or night, and by what modes of transportation.

Due to women's multiple responsibilities, their journeys are typically more varied and complex than men's. Feminist activists, professionals, and scholars have for many years highlighted the importance of recognizing as a vital function of society the unpaid care work undertaken by women and girls. The same is true for cities. Without the millions of hours that women and girls spend every day in social reproduction and in the informal and waged economies, no city could function or develop. Yet patriarchal traditions limit many urban women's and girls' access to crucial social, economic, and development opportunities and services

Women and girls face exclusion across all key aspects of urban life, thus limiting the following:

- Assets for livelihoods and basic services
- Right to own land, inherit property, and have security of tenure
- Access to employment and equal wages
- Safety
- Decision making
- Services related to child care, education, and sexual and reproductive health

As women and girls make up half the urban population, do more than half the work, do the majority of care work, and are often subjected to sexual and gender-based violence, cities ought to be designed and built with women's and girls' participation and interests in mind. There is room for great improvement of municipal governance, spatial organization, infrastructure, and services to better serve women and girls. Designing and managing cities with and for women will also improve cities for all, including marginalized groups and men.

The following table looks at some implications of urban planning and design for low income women and girls.

Table 3 Implications For Low-Income Women and Girls

ISSUE	IMPLICATIONS FOR LOW-INCOME WOMEN AND GIRLS
Lack of political voice	• Women and girls are excluded from participation in local government structures and decision making, including in urban planning and design. • Women and girls are largely excluded from decision making in community groups. • Women and girls are excluded from creating sustainable solutions for themselves and their cities. • Lack of a political voice denies women and girls their human right to choice in their lives
Access to land, security of tenure, and housing	• Inadequate services and unaffordable land penalizes and impoverishes low income women and men, especially single mothers and their children. • Lack of secure tenure or shared tenure increases women's poverty and vulnerability in situations of domestic violence and family breakdown.
Access to infrastructure and services	• Women and girls lose time and experience stress when negotiating access to inadequate potable water and toilets. • They face harassment and sexual assault when there are no toilets and they have to use the outdoors in the dark. • Unsafe water increases women's care responsibilities, raises health costs, and limits their income-generating possibilities as they spend most of their time caring for sick family members. • Access to safe, frequent, and affordable transportation is often missing. • Limited or non-existent health, school, and recreation services increase women's caregiving responsibilities

Livelihoods	• Lack of employment opportunities and low incomes lead to insecure housing and lack of negotiation power in relationships. • Insecurity of tenure means poor women have fewer resources, fewer assets, and less credit. • Informal sector activities, such as sewing clothes or selling cooked and raw food, bring little income, given the required time and labour investments. • Wages below official rates place families and children in congested living environments
Safety and Security	• Inadequate access to affordable water, toilets, electricity, and transport puts women and girls at risk of sexual harassment and assault. • Lack of safety and protection services inhibits women's and girls' mobility, and thus their right to the city. • Slums' and informal settlements' inadequate drainage and solid waste management, as well as poorly lit roads and lanes, etc., further compromise women's and girls' safety, security, and health. • Lack of employment and the nonexistent security from formal sector wages make women and girls vulnerable to sexual harassment from landlords and 'middlemen'. This can lead to sex work as the only way to make ends meet, thus making women and girls further vulnerable to unwanted pregnancies and HIV/AIDS
Compromised living Environment	• Poor drainage and lack of solid waste management fosters mosquitoes, flies, and unpleasant smells, clogs drains, and brings ill health. • Small plot sizes and small dwellings expose women and children to indoor air pollution from cooking. Cooking in small spaces can also lead to burns and injuries to children. • Wastewater and garbage in the streets are difficult for pregnant women, people with disabilities, and older women and men to navigate, especially if they are carrying children. • Slums are often near contaminating industrial activities. As a result, women, young people, and children are more exposed to the

	dangers of environmental contamination, as they spend more time in slums than men, who may often travel for work

As demonstrated in the table, women and girls face multiple and overlapping challenges around the world, particularly in developing countries. These gender discrimination issues range from violence and sexual harassment in public and private spaces to the inaccessibility or nonexistence of educational and job opportunities, land ownership, public spaces, political voice, and health and financial services. To address these critical concerns, gender mainstreaming must be introduced into all aspects of city life, including urban planning and design

CHAPTER 3: POLICY KEY ISSUES AND COMMITMENTS

3.1 Introduction

Women play an increasingly important role in the economies and our societies are becoming more multi-cultural. Unfortunately, women also remain invincible in spaces that define them, yet their perspective and participation remains very important in the development of urban centers. Their experiences help to facilitate changes in both the physical and the software of town development and growth. Most women and girls work in the informal sector and still undertake traditional roles including bearing a bigger burden of providing and caring for their families. With such small capital investment, they tend to be mobile and are absent in urban centre planning, not involved in decision making process related to urban centre

Figure 1Key Principles

development and therefore their needs are rarely captured in development plans.

In 2019-20 COVID 19 wiped out most of the businesses and the little income the women traders were receiving, exposing them to loss of livelihood and increasing their poverty levels. The collapse of their small incomes exposed further the fragility of their business increasing their vulnerability to violence and exploitation and exposing them to loss of livelihood and increase in poverty.

No urban center can be rebuilt without the experiences of women and girls who interact in those spaces and a participatory co development with women results in women spaces and services as well as sustainable women's empowerment. The integration of women and girls' concerns and realities in their interaction of the urban spaces is important for transforming urban areas into inclusive spaces for everyone. Their participation leads to better decision making, increased engagement, better services and better financial results. Gender Responsive projects makes

women more visible and heard because they become more accessible to them because of their participation in development design and planning.

The opportunity to rebuild new space for women in Siaya leading to the growth of their economic base must include:

1. Taking into consideration women's, economic, social and cultural needs
2. Empowering women and girls to participate as equals in all the decision-making process
3. Creating a supportive economic environment including legislation and gender sensitive budgets
4. Addressing the safety of women and especially fighting against Gender Based Violence

3.2 Urban centers as the Centers for Growth

Urban renewal can reduce gender inequalities by promoting social and economic inclusion. Rebuilding a gender inclusive space can foster peace, facilitate entry for new women entrepreneur into the markets, support the most disadvantaged and contribute towards the creation of new employment opportunities. In other words, urban centers have the potential to meet every one's basic needs while conserving the local culture, heritage and protecting the traditional values, without having to compromise dignity or respect.

This calls into consideration the need for strengthening gender mainstreaming in all our community engagement and dialogue processes weather internally within the administration or externally with our day-to-day interactions with citizens.

A Participatory Gender Framework is necessary as it provides a guideline for understanding how the service delivery provided by the state engages women in it planning and development. It designs steps for engagement women in a participatory process to help plan, review and identify how to consistently improve their city. The framework recognizes that women and men experience Municipal Council differently given how cities tend to be designed as gender blind. It is about public spaces and whether they are equally safe to walk about, concerning tenure security of public service and how obtaining the necessary documentation addresses sexual exploitation and abuse, it's about the public transport, health centers and how they set up to respect and protect the dignity of women and girls especially. To create a responsive city, it is important to ask the right questions to assess the gender gaps and evaluate the extent to which existing service being delivered apply a gender perspective approach in its intervention. This means that it is possible to have different responses when dealing with different sectors and for any meaningful transition to take place, there will be need for the Municipal council to carry out several key studies and develop specific frameworks for strengthening gender equality will have to be developed to support in the holistic

programme that ensures no one is left behind. There are different frameworks that respond to Gender Responsive Planning that must be developed if we are to strengthen participation and gender responsive design, planning and M&E for inclusive interventions and programmes that contribute to women's economic empowerment and sustainable livelihoods. Carrying out a gender analysis is necessary for identifying initiative and priorities for gender responsive planning and decision making. Some of the important frameworks that the Municipal Council must review where there are some, strengthen where present and drop those that continue to harm people.

Several frameworks must be introduced to stimulate conversation, foster learning and create opportunities for participation for those who usually are not part of planning processes and face inequalities for a more inclusive learning, for designing and governing gender sensitive urban centers.   The following frameworks will be some of the popular tools for use in our urban development context in the Municipality. Other tools will be designed as we continue to evaluate the impact of our gender equality and women empowerment projects.

For now, we shall develop the following frameworks to support us in our transformation of the city towards a gender equal space that ensures incorporating accessibility to all equally.

3.2.1 Gender Mainstreaming and Integration Framework – We need to disaggregate our data for it to be useful in our planning. All the sectors will have to develop a tool kit for collecting this data so that we get to understand how our programmes are utilized and accessible. The idea behind developing this framework will help the Council address gaps towards inclusivity of our services. Some of the issues to be addressed by the framework will include Capacity building of women and increasing participation, meaningful engagement of both gender, increasing women's economic empowerment, community mobilization to mainstream gender and transform some of the gender norms that impact on women negatively, addressing sexual and gender based violence and carrying out consistent gender analysis to inform programme policies and development and gender integration and equal representation within the work force.

3.2.2 Gender and Health System Framework – Women accessing health care face disparities. Integrating gender into health care especially in HIV/AIDS, childcare and Reproductive health and should recognize how social economic factors lead to the disparities in access health care and address the balance of power between health providers and their clients

3.2.3 Gender and Governance Framework – Women are underrepresented in Governance spaces will translate in more gender balanced policies. Strengthening their capacity will contribute to their positive engagement

3.2.4 Gendered approach to Fighting Sexual and Gender Based Violence – The need to affect sexual behaviors requires having more interaction between men and women to engage in conversation around sexual violence, women, health, STI and reproductive health and contraception. There is need to change the gender stereotyping and gender norms that leads to Sexual violence and other harmful practices.

3.2.5 Gender Impact Assessment Framework- A regular gender analysis should be a part of the process for strengthening inclusivity. A review of our policies to move from being gender blind to gender aware will support meaningful shift in our programming for both men and women and strengthen gender mainstreaming. Tools for measuring how successful the programmes have been in tacking the inequality and disparity will be designed where important indicators will be identified to strengthen sustainability

3.3 Gender Mainstreaming Strategies

The Municipality aims to recognize and raise awareness of women's inequality in urban contexts among its residents, private sector and partners, also seek to capitalize on residents, private sector and partners' different strengths and expertise to mainstream gender perspectives into policy dialogues at the local and county levels. The following strategies work together to address the discrimination and exclusion women experience in the urban center, while offering a way forward to design urban centers and cities that empower women and girls and include them in decision-making processes and urban planning and design

   i.   Conduct gender-analysis across relevant projects, policies, campaigns, and organizations.

  ii.   Increase gender-based data collection.

 iii.   Apply gender mainstreaming across national and local policies.

 iv.   Encourage grass-roots women's participation and empowerment.

  v.   Engage men and boys to advocate for women's rights and gender equality.

 vi.   Establish women's monitoring mechanisms (observatories).

 vii.   Create gender-sensitive and inclusive public spaces.

viii.   Offer gender-sensitive training to key municipal's stakeholders (police, transportation operatives, urban planners, and national and county government officials).

3.4 Inform, Involve and Collaborate

3.4.1 Inform

The goal of this level is to create more engaging, dedicated online spaces for all residents and stakeholders to keep them informed about news, events, and municipal's projects and policies. This will be done through

- News Updates: Every month there will be four news items shared on Municipal's social media about the organization's vision and activities regarding women's engagement in cities (a quote/message, a short video, a blog, a news item regarding municipal or member activity). ·
- Workshops and Webinars: Municipal will take part in or organize regular physical and online events on gender-related issues.
- Publications and Libraries: Technical reports, case studies, guidebooks and other informative pieces by Municipal and its members will be published online.

3.4.2 Involve

This level targets residents and stakeholders with a specific interest, expertise, and programme on gender equality and women's empowerment.

- GOVERNANCE: A steering committee meeting will be organized every year to monitor the implementation of the Gender Action Plan, advocacy positions, and priorities for operations.
- ADVOCACY: Residents and stakeholders have the opportunity to engage in campaigns, events, and platforms targeting gender-related policies and process at the municipal, county and national levels
- SPEAKING OPPORTUNITIES: Residents, private sectors and partners will be regularly invited to present ideas and achievements regarding women empowerment in municipal events, town hall meetings and conferences.

3.4.3 Collaborate

At the collaborative level, key members co-create specific activities and programmes (e.g., online events, pilot actions, in-county programmes), including defining objectives, engagement approaches, and monitoring mechanisms. Through this collaboration and partnership, the municipal aims to raise awareness and build staffs, private sector and partners' capacity to integrate gender-related consideration in their operations and strategies.
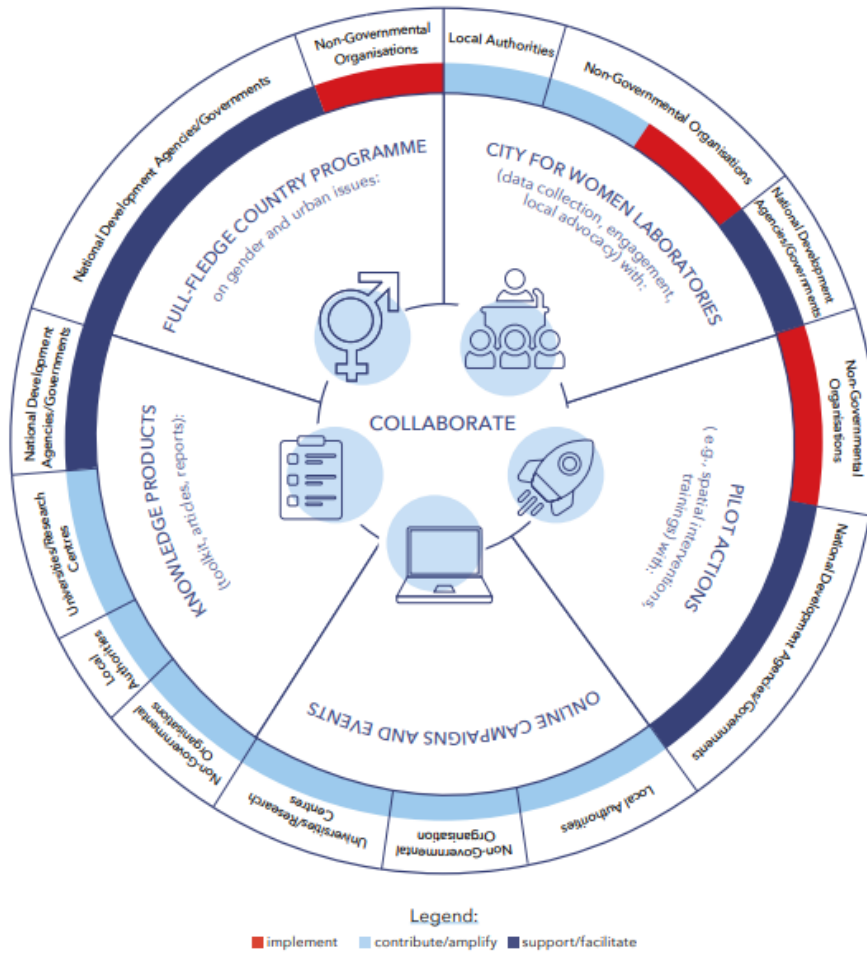
Figure 2 An Outline Map of Possible Areas of Areas Of Collaboration

CHAPTER 4: IMPLEMENTATION IN ALL PROGRAMMES, PROJECTS, ACTIVITIES AND POLICIES

4.1 Introduction

To ensure that Siaya Municipal Council rebuilds its urban centre guided by promoting Gender Equality and women' empowerment then it will develop A Gender Action Plan that will guide its strategies for ensuring the interests and voices of women and the most marginalized are fully integrated in all their programming. The Municipality propose to develop a strategy for gender equality consideration by coming up with activities for gender mainstreaming across all the sector

Figure 3 Implementation Framework

Our urban agenda is clearly aligned with the New UN Habitat Urban Agenda that recognizes the potential of cities if well planned to realize sustainable development goal in an integrated and coordinated manner. Our proposal to fulfill our own obligations towards meeting the 2030 Agenda for Sustainable development will focus on ending poverty and hunger, reducing inequalities,

promoting inclusivity, economic growth and realizing gender equality and women and girls' empowerment.

The Municipal will organize internal capacity-building training and learning sessions annually to share and discuss results, experiences, and available tools for gender mainstreaming within the institution. Ongoing training for staff will be provided with updated and new tools, and further learning events such as webinars and workshops. Monitoring and evaluation will be enhanced by reviewing indicators to capture gender impacts more effectively and developing a baseline to measure programme progress. Gender-focused activities and performance indicators will be included in grant agreements with capacity development support to the municipal. More targeted, better structured reports will document learning from both successes and failures.

4.2 Advocacy and Partnership

A crucial aspect of the municipal's projects and policies will be enhancing collaboration with partners and residents to improve advocacy. It will do this by engaging key residents, stakeholders and partners to influence policies locally and within the county and by continuing to push for an urban center planned for women and by women, gender equality promotion at the local level, climate resilience in urban center and gender, and women-led infrastructure.

Activities will be designed to analyze, compare, and evaluate project outcomes and local knowledge in order to improve awareness of relevant policies or activities, effectively communicate how these influence policies and behavior, and contribute to global debates on women's inclusion in urban development.

4.2.1 Proposed Activities

- DEVELOP a gender-sensitive communication strategy (or guidelines) for communicating and sharing (broadcasting) Municipal's gender mainstreaming approach at the strategic level, such as with potential donors, private sectors and residents. It will include a clear understanding of target groups and targeted, structured messages.
- DEVELOP residents and private sector engagement strategy, ensuring constant and regular communication of key messages and activities with residents and partners.
- COMPILE AND DISSEMINATE Gender reports that highlight Municipal's activities, successes, and lessons learned
- HOLD semi-annual residents and private sector webinars and workshops for women to discuss mutual areas of focus, experiences, and synergies to promote a more collaborative approach across the sector.

- ENSURE regular one-on-one engagement with key residents and private sector and donors/partners through newsletters, emails, webinars and personal contact and consultation as much as possible.

- PLAN a series of learning events (e.g. exhibitions, radio shows, trainings, debates) to facilitate peer-to-peer exchange and networking

- ENSURE that the programme content on the Municipal's website is updated regularly and acts as a usable resource for external users. Communicate the value of the website as a resource to all appropriate stakeholders.

4.3 Internal Monitoring and Cross-Support

Effective internal monitoring of programmes, projects and policies, aggregating results, and building an evidence base are extremely important in promoting the progress of municipal's work, alongside providing effective support to staff, partners, and the residents.

4.3.1 Proposed Activities

- Expand and refine the Municipal's Monitoring, Evaluation and Learning Framework and develop a baseline to measure programme progress over time.

- Review indicators to capture gender and impact more effectively.

- Revise reporting processes to ensure more targeted, structured reports that document learning from successes and failures.

- Ensure the systematic collection of information/results on gender from programmes.

- Continue to improve gender training for Municipal's staff, residents, and partners on new tools, the framework, and concepts related to women's empowerment and gender equality in cities, as well as provide ongoing support in this regard.

- Include gender-focused activities and performance indicators in grant agreements and provide related capacity development support to grantees to ensure that they understand the activities and indicators, why they are necessary, and how to report on them.

- Develop satisfaction surveys for project participants and include more qualitative indicators, such as, "Do people feel involved, how much voice do they feel they have?"

- Present members with a well-developed evidence base, documentation of lessons learned, and continuous monitoring

4.4 Gender-Specific Programming

Gender-specific programming aims to raise awareness, build capacity, develop partnership, test ideas, and open up opportunities for long-term, in-county programmes focusing on gender-related

issues. Recognizing that an urban center that is inclusive towards women's needs is more equitable for everyone, the municipal will design women programs that specifically targets women and their needs, aiming to increase the engagement of girls and women in urban development and governance so that they can live in inclusive, equitable cities and communities.

To do so, Municipal will work with the County Government, private sector, local partners (CSOs/NGOs/CBOs, WAMASCOS), partners, and stakeholders to collect data and evidence, raise awareness, build capacity, and develop pilot projects to address the issues identified in this participatory process

4.5 Planning for Gender Diversity and Inclusivity

All planning decision have a gendered impact, hence the importance of listening to the people especially women who are mostly impacted and understand the extent to which they feel included. Diversity recognizes that we are different in both visible and invisible ways and by appreciating that these differences exist, will promote the need to have a diverse approach to accessing services result in the Council strengthening inclusivity. It provides an opportunity acknowledge these differences leading to the removal of barriers that impede engagement by being flexible and intentional in our programming work towards a more just world.

4.5.1 Proposed Activities

- Working with partners and residents to design and expand women specific projects and programmes and policies. This includes designing and testing tools for co-designing gender-sensitive infrastructures and public spaces as well as guidelines for targeting and involving marginalized women in urban governance.

- Conducting women's safety audit diagnosis reports (physical and online) and gender-based community mapping in different contexts (roads, water points, markets, transport, etc.)

- Developing and testing two to four pilot projects, such as public space interventions, urban campaign on women's safety and engagement, or implementation of a gender-sensitive WASH facility.

- Conducting surveys with key stakeholders to collect and generate relevant gender-disaggregated data and develop and measure indicators to establish a baseline and assess both progress and impact over time.

- Develop a digital storytelling approach focused on the experiences of women and girls in urban center and their neighborhoods across multiple domains (e.g., mobility, political participation, safety and heritage). This will be done in conjunction with local partners and

stakeholders and steps taken to ensure that the outcome/product is shared with the local community and participants.

4.6 Equality, Diversity and Inclusivity-Participatory Gender Sensitive planning

A Participatory Gender sensitive planning must take into consideration the difference and diversity present within our community, whether age, genders, their status, incomes, disability and cultural and social gender roles and how women and girls go about their daily social, economic activities observing their daily lives. Hearing about how our development programmes impact them and learning their concerns around issues of safety, their use of the available public space and using these experiences to support us in planning for inclusion.

Policies also impact women and men differently and Siaya Municipal Council recognizes that structural barriers impact the enjoyment of rights and therefore designing polices that addressing discrimination by marginalized groups like Persons with Disability and intersecting forms of discrimination. To achieve the principle of leaving no one behind, we shall review our policies and current programmes to address biases to expand opportunities and make services available to the most marginalized.

Equality, Diversity and inclusivity, is part of a sustainable strategy that must be incorporated but it can only be successfully applied if there is accurate data to back any recommendation. Siaya Municipality will have to consistently collect data and carry out survey to influence gender sensitive planning. Developing tools for data collection will also have to take into consideration the target groups. For example, literacy and availability of respondents will influence the type of strategy to be applied for collecting the necessary information. The use of data to improve management of development and transform lives is important because it put the users at the centre and ensure that they benefit all the unique solutions that addresses unconscious biases and discrimination by creating opportunities for their inclusion.

CHAPTER 5: GENDER MAINSTREAMING EVALUATION

5.1 Introduction

The Gender Participatory Framework recognizes that during the evaluation phase, project achievements, implementation process, outcomes, and impacts shall be assessed with a gender perspective, while evaluating the project in accordance with a prescribed project evaluation framework (ex-post evaluation) and evaluation methodology. When identifying the outcomes and impacts, attention will be paid to signs of emerging outcomes and impacts as well as already achieved outcomes and impacts. If there is difference in benefits received by women and men, details of the difference and its causes shall be analyzed.

5.2 Gender Response Evaluation Table

The following shows gender-responsive evaluation questions to be used as the adopted Municipal's evaluation criteria.

Table 4 Evaluation Criteria and Check Points

Evaluation criteria ***** OECD DAC 6 evaluation criteria	Check points
Relevance	Development policies and needs of the target country - Are the gender-responsive activities of the project consistent with priorities of gender equality policies and urban and regional development policies? Inclusion of people with special needs - Do specific genders or groups occupy the majority of beneficiaries? - Prior to beneficiary selection, was information collected from women and women's groups? - Did the project promote the participation of female-headed households, women with disabilities, and elderly women? Appropriateness of the plan and approach

	- Have methods been taken that do not exclude certain gender groups? - Did the project take an approach to benefit diverse people? - Have methods been taken that ensure no increase in the workload of a particular gender group? - Did the project made any revision based on the monitoring results?
Coherence	Coherence between global goals and initiatives such as SDGs and global norms and standards - Did the gender-responsive project activities align with global initiatives? - Did the aforementioned activities contribute to achievement of global goals such as SDGs?
Efficiency	- Did the project make use of knowledge and experiences of women and vulnerable groups, and collaborative groups of women and persons with disabilities to realize effective project implementation? (e.g., were initiatives taken to disseminate information to the vulnerable groups by utilizing the networks of women's groups and groups of persons with disabilities?) - Are the training participants gender-balanced?
Effectiveness	- Did the gender-responsive activities achieve the expected results? - Did the aforementioned activities contribute to achievement of the project objectives and outcomes?
Impact	- Did the gender-responsive activities facilitate positive impacts? (e.g., women's leadership, equal participation in all decision-making processes, and supporting government review systems) - If there are any negative impacts, are there any differences in impacts depending on people's attributes such as gender and age? (e.g., women's workload increased, increase in domestic violence and SGBV against women, etc.)

Sustainability	- Will women and girls be able to continue their activities without difficulty?
	- Will women and girls be able to participate in urban and regional development-related activities continuously and contribute to the sustainability of project effectiveness?
	- Will the role and contribution of women and girls in the community and households be recognized and will there be continued cooperation between women and men in urban and regional development-related activities?
	- Will relevant agencies keep implementing gender mainstreaming? - Will relevant agencies keep facilitating women's participation in decision-making?
	- Will the voices of women and girls continue to be reflected in policies, measures, and institutions of the urban and regional development sector?
	- Will activities with gender perspective be reflected in the urban and regional development sector policies and plans?
	- Will activities with gender perspective be reflected in the budget of the urban and regional development sector?

Regarding effectiveness (outcomes), impact and sustainability, identify how gender-responsive activities have contributed to the promotion of gender equality and women's empowerment, taking into account the three aspects of agency, relations, and structure and systems.

5.3 Specific Agency

Specifically, "agency" refers to what women have become able to do as a result of the implementation of the activities (including not only their own abilities but also changes in the external environment surrounding the women). "Relations" refers to how the activities have helped transform the gender relations among stakeholders and in societies. As for "structure and systems," the scope of evaluation includes how the activities have been integrated into policies and systems, as well as operational policies and plans of the implementing agencies, and how gender equality has been promoted in the organization. If a negative impact is identified, lessons learned should be extracted as much as possible for reflecting in future projects.