



**NGEK**  
National Gender and  
Equality Commission

# Annual Report

## 2020-2021



# Annual Report 2020-2021



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## List of Acronyms

ACHPR	African Charter on Human and Peoples Rights
AU	African Union
BBI	Building Bridges Initiative
CC&IOS	Constitutional Commissions and Independent Offices
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEMIRIDE	Center for Minority Rights Development
CoG	Council of Governors
CRC	Convention on the Rights of Children
CRPD	Convention on the Rights of Persons with Disabilities
CSOs	Civil Society Organizations
CUC	Court Users Committee
DNA	Deoxyribonucleic Acid
EARCS	Education Assessment and Resource Centres
EITWG	Equality and Inclusion Technical Working Groups
EU	European Union
FGM	Female Genital Mutilation
GBV	Sexual and Gender-Based Violence
GEI	Governance and Economic Institutions
GSSP	Gender Sector Statistical Plan
H.E	His Excellency
HERAF	Health Advocacy Forum
HRTCS	Human Rights Treaty Committees
ICCPR	The International Covenant on Civil and Political Rights
ICERD	The International Convention on the Elimination of Racial Discrimination
ICPD	International Conference on Population Development
ICT	Information, Communication Technology
IEBC	Independent Electoral and Boundaries Commission
ITDP	Institute for Transportation and Development Policy
KENHA	Kenya National Highways Authority
KEPSA	Kenya Private Sector Alliance
KIPPRA	Kenya Institute for Public Policy Research and Analysis
KNBS	Kenya National Bureau of Statistics
KPHC	Kenya Population and Housing Census
LM	Labour Market
MCAs	Members of County Assemblies
MCH	Maternal and Child Health
MDAs	Ministries, Departments and Agencies
NGOs	Non-Governmental Organizations
PWDs	Persons with Disabilities
REDD+	Reducing Emissions from Deforestation and Forest Degradation
SDGs	Sustainable Development Goals
SIGs	Special Interest Groups
UK	United Kingdom
UNDP	United Nations Development Program
UNFCCC	United Nations Framework Convention on Climate Change



UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNHLPF	United Nations High-Level Political Forum
UPR	Universal Periodic Review
VAC	Violence against Children
VPB	Victims Protection Board

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## Foreword from the Chairperson

I am pleased to present the National Gender and Equality Commission (NGEC) 2020-2021 Financial Year Annual Report. We began the year by building on the resilience of Commissioners and Secretariat from the disruption occasioned by the COVID-19 pandemic. We are grateful that during the year, we succeeded in warding off the effects of the pandemic by pursuing creative and innovative technology solutions to execute our mandate.

During the period under review, the Commission received and processed 67 complaints on the violation of the principles of gender equality and freedom from discrimination. This shows a decrease of 26% compared to the previous year 2019/2020. This has been attributed to the COVID-19 pandemic which drastically reduced the number of complaints filed through the walk-in method at the Commission. The use of the online complaints management system is still low among SIGs due to low technological know-how and poor ICT network infrastructure in the areas where they reside. Complaints received during the period vary in nature and type and include; complaints on Cash Transfer for the elderly, assault, property dispossession discrimination, and land dispute, intimidation, defilement, separation, and eviction, marital conflicts, colluding to blackmail assault, and threats among others

During the year under review, the Commission continued with the process of finalizing the development of the National Gender and Equality Commission Complaints Handling Practice and Procedure Regulations, 2020. The regulations were validated through an intensive public participation process that involved engaging stakeholders through physical and virtual activities. Once finalized the regulations will enable the Commission to exercise its powers and functions drawn from Article 252 of the Constitution and Sections 26 and 27 of its Constitutive Act. More specifically, the regulations shall enable the Commission to receive, process and handle complaints relating to gender equality and freedom from discrimination.

The Commission is of the considered view that achieving substantive equality will require more than just laws, policies, rules and administrative guidelines. Thus in the Financial Year 2020-2021, the Commission strengthened the capacity of grassroots movements and leaders in eleven counties – (Vihiga, Kilifi, Wajir, Nyandarua, Isiolo Samburu, West Pokot, Laikipia, Tharaka Nithi, Turkana to advocate for the realization of the not more than two-thirds gender principle.

The forums brought together more than 450 local leaders who committed to support and advocate for the integration of the principles of equality and freedom from discrimination in county policies, laws, administrative regulations, and operations. They also committed themselves to influence behaviour change by addressing attitudinal barriers to women in leadership. The action seeks to promote a bottom-up approach by building the capacity of actors at the grassroots levels to influence key outcomes of gender equality.

Lack of compliance of public and private sectors with minimum requirements of gender equality and inclusion remains a challenge. To address this, the Commission plans to explore proactive measures to institutionalize a practice where government agencies will only access their budget and grants upon submission of a certificate of clearance the

Commission stating that the agency has put adequate measures in their planning and budgeting tools to address inequalities and exclusions. This practice has worked in other jurisdictions with remarkable success since agencies are compelled to comply to avoid being financially crippled.

These and many other interventions detailed in this report account for the Commission's interventions during an eventful Financial Year that would have been impossible to deliver without the solid commitment and dedication of the Commissioners, the Commission Secretary and the entire Secretariat.

I wish to thank and appreciate the support of the Government of Kenya and the Commission's development partners for financial and material support during the Financial Year under review. I also wish to sincerely thank the Commissioners and staff for their contribution and urge them to continue in their efforts in the forthcoming year.



**Dr. Joyce B.M. Mutinda PhD, EBS**  
**CHAIRPERSON**

## Statement from the Commission Secretary/Chief Executive Officer

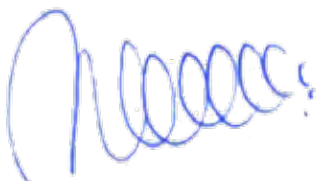
The Commission approved budget for the Financial Year 2020/2021 was Ksh427.6 million. This was composed of Ksh. 424.6 million for recurrent and Ksh. 2.874 million from development partners. This budget was reduced by Ksh. 46.2 million in Supplementary I to Ksh. 378.4 million. The budget was further reduced by Ksh. 6.4 million to Ksh. 372.0 million in Supplementary II. During the Financial Year 2020/21, the Commission spent a total of Ksh. 353.3 million translating to 94% budget absorption. The Commission's total expenditure on procurement of goods and services was Ksh. 65,213,110.52, out of which Ksh. 5,177,273.78, equivalent to 7.9 percent, was awarded to Youth, Women and Persons with Disabilities.

The dismal performance on contracts awarded to Special Interest Groups is attributed to the reduction of the budget by Ksh. 46 Million. The Financial Year 2020-2021, therefore largely found the Commission faced with similar challenges experienced in the previous Financial Year. The 94% budget absorption rate indicates that the Commission could absorb its entire budget and even execute more strategic interventions for the Special Interest Groups had we been spared the budget cuts.

Despite operating on a very lean budget, the Commission continued to weather the storm and adapt to creativity and innovation of ensuring business continuity. I'm happy to report that both the policy and management arms of the Commission demonstrated remarkable resilience by going out of their way to deliver services to our stakeholders, particularly the Special Interest Groups who were also reeling from the COVID-19 wave.

The Annual Budgetary allocation is hardly enough to fund the Commission's activities. The ensuing budget cuts in the middle of the Financial Year seriously affect the Commission's work-plan and slows down absorption with an undesirable domino effect to our suppliers. As we continue to bid for additional funding, we also hope to see a preservation of our approved budgetary estimates throughout the Financial Year.

The achievements recorded by the Commission are attributable to the dedicated, competent and qualified staff at the Commission. The Chairperson and Commissioners provided valuable strategic policy guidance throughout the reporting period. We sincerely appreciate the involvement and participation of our key stakeholders who provided a useful springboard for our achievements. Finally, I appreciate the trust that the people of Kenya have bestowed on the Commission to promote gender equality and freedom from discrimination.



Betty Sungura-Nyabuto, **MBS**  
**COMMISSION SECRETARY/CEO**

## Executive Summary

This section presents a summary of key achievements made by the Commission in the Financial Year 2020/2021 in monitoring, auditing, facilitating and coordinating the integration of the principles of equality and inclusion at international, regional and national levels and a summary of good practices and challenges encountered during implementation of its programmes.

During the year under review, the Commission facilitated 400 gender focal persons with skills to apply the Gender Mainstreaming tools and attendant documents to provide timely and reliable data on progress being made by Ministries, Departments and Agencies (MDA) on gender mainstreaming. The focal persons were drawn from different MDAs signatories to performance contracting. During the same period, the Commission issued 84 certificates of compliance and corresponding advisories to MDAs that reported on progress they have made on gender equality and freedom from discrimination for the period 2019/2020.

In the Financial Year 2020/2021, the Commission facilitated **35** government institutions to improve on the integration of the principles of equality and inclusion within their programming. This was mainly done through facilitative training. The training sessions were geared towards enabling responsible officers to mainstream gender equality in all their operations and report accurately and in timely manner, the efforts their institutions have put in place to address gender equality and inclusion issues.

The Commission monitored the distribution of dignity kits for boys and girls in Machakos County. A total of 147 boys and 148 girls were issued with the dignity kits. During this intervention, the Commission conducted a rapid assessment on the levels of preparedness of the schools to integrate principles of inclusion and equity in their infrastructure including in the washrooms, classrooms, staff rooms, and playfields, among others. The Commission advised the school's management to take appropriate measures to address the gaps identified.

The Commission presented a paper to the Selection Panel for the Appointment of Members of the Independent Electoral and Boundaries Commission (IEBC) on '*effective management of elections: the perspective from election observers*'. During the presentation, the Commission advised the selection panel to ensure that the composition of IEBC adheres to the not more than two-thirds gender principle as provided for in Article 27 (8) of the Constitution of Kenya, 2010 and the IEBC act 2011.

The Commission facilitated discussions with the Persons with Disabilities (PWD) caucus on key issues of inclusivity, equality and non-discrimination, participation and involvement of PWD's in public affairs within the context of the 2020 constitutional debates and proposed reforms. These were centered on the report of the steering committee on the implementation of the Building Bridges Initiatives to a United Kenya taskforce detailing out opportunities for increased representation of PWDs in Parliament.

The Commission in collaboration with its stakeholders launched the report "*Minimum Age of Consent for Sex: Addressing the Dilemma: A summary report of discussions and proposals from multi-sectoral stakeholders' fora, 2019*". The report recommends among

others the fast-tracking of the enactment of the Children’s Bill (2020); full implementation of the National Children Policy (2010), and commencement of implementation of the 2019 National Family Promotion and Protection Policy.

During the period under review, the Commission contributed to a study on Women in the Manufacturing Sector and the dissemination of the research findings of this study. The findings of the study will support the private sector to develop relevant gender mainstreaming policies to guide their operations, programs and service delivery while ensuring compliance with constitutional and statutory requirements on women and girls participation in labour. The Commission also contributed to a study by the Kenya Private Sector Alliance (KEPSA) aimed at assessing the impact of GBV during times of COVID-19 in the workplace.

The Commission reviewed and issued memoranda to 67 legal, policy and administrative instruments both at the County and National level. The inputs were mainly to address equality and inclusion issues and ensure the rights and freedoms of the most vulnerable population is guaranteed, protected and promoted. In this activity, the Commission reviewed the language used by drafters to avoid any derogatory terms and phrases in describing the status and needs of SIGs. Compared to last year, the Commission reviewed 76% more legal instruments in the year under review.

In the Financial Year 2020/2021 the Commission issued 6 advisories:

- a. The State Department for Fisheries, Aquaculture and the Blue Economy, Ministry of Agriculture, Livestock, Fisheries and Cooperatives, following an advertisement in the Daily newspapers seeking to recruit persons for training and specifically on the eligibility of the applicants. The advertisement was discriminatory to women.
- b. Cabinet Secretary, Ministry of Labour and Social Protection on the proposed engagement of street children in the Nairobi Metropolitan Services (NMS) Power plan. The proposed involvement of children would violate the right of the Child.
- c. Judicial Service Commission on the appointment of Chief Justice and a judge of Supreme Court to ensure the recruitment processes support the Apex Court in its entirety comply with the not more than two-thirds gender principle, and promote the participation of the SIGs as eligible applicants in the recruitment processes
- d. The Selection Panel for the IEBC Commissioners on promotion, protection and fulfilment on the affirmative action and inclusion of SIGs in the recruitment process including adherence to the not more than two-thirds gender principle in the entire composition of the policy arm of the Commission.
- e. Provided a framework for monitoring the implementation of voluntary 50 hours of Pro Bono legal services to victims of Gender-Based Violence (GBV) offered by Mr. Edwin Sifuna, (the Secretary-General, Orange Democratic Party (ODM) to the National Cohesion and Integration Commission (NCIC), and
- f. Advisory to Homeboyz radio of the Radio Africa Group based on a request by the Communications Authority of Kenya and major outcry by Kenyans about the use of derogatory and discriminatory language against women and girls during a morning show branded Lift-Off carried on air on 25<sup>th</sup> March 2021.

The National Gender Equality Commission is mandated to act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups. Under this function, the Commission contributed to the development of country reports and in few cases participated in the hearing sessions organized by the treaty bodies. Some of the reports include: The 65<sup>th</sup> Commission on the Status of Women (CSW), Universal Periodic Review (UPR), International Convention on Civil and Political Rights (ICCPR), the United Nations Convention on the Rights of the Child



(UNCRC) and African Charter on the Welfare and Rights of the Child (ACWRC), the International Convention on Elimination of All Forms of Racial Discrimination (ICERD) and Sustainable Development Goals (Agenda, 2030) among others

In line with section 8 (c) of the National Gender and Equality Commission Act, no.15 of 2011 the Commission facilitated the development of tools to support the institutionalization of a standard and comprehensive mechanism for monitoring compliance of the State with concluding observations and recommendations issued to Kenya by various committees of the International and Regional Instruments. These tools included; *'Scorecard for the Evaluation of Progress made by the State in the implementation of the Protocol to the African Charter on Human and Peoples' Rights On the Rights of Women in Africa (Maputo Protocol)'*, *Compliance score card for monitoring concluding observations and recommendations issued to the Government of Kenya under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)*, *Convention on the Rights of the Child (CRC)*, and *The Convention on the Rights of Persons with Disabilities (CRPD)*

During the year under review, the Commission continued with the process of finalizing the development of the National Gender and Equality Commission Complaints Handling Practice and Procedure Regulations, 2020. The regulations were exposed to public participation through engaging stakeholders through physical and virtual activities.

The Commission is a member of the Victims Protection Board (VPB) which is established under section 31 of the Victims Protection Act No. 17 of 2014. In 2020/2021, the Commission together with the rest of the Board members put into place the Victims Protection General Regulations and the Victims Protection Trust Fund regulations 2021. The General regulations are aimed at operationalizing the Act while the Trust fund is aimed at operationalizing the Trust Fund established under section 27 of the Act for purposes of compensation and reparation of victims.

The Commission conducted several rapid assessments following reported allegations of violence against children. The objectives of the investigations were to establish the status of the cases, to provide legal support to the survivors and to enhance collaborations and referral systems for the said cases. The Commission, ensured that the cases were brought to public attention, that they are acted on as a deterrent to interference with the trial process, and ensured the rights of the perpetrator and victim were protected while guaranteeing the best interests of the child.

The Commission received and processed 67 **complaints** on the violation of the principles of gender equality and freedom from discrimination. This shows a decrease of yyy% compared to the previous year 2019/2020. This has been attributed to the COVID-19 pandemic which drastically reduced the number of complaints filed through the walk-in method at the Commission or other investigating organs.

To enhance coordination and mainstreaming of the issues of special interest groups, the Commission held thematic-based coordination meetings bringing together stakeholders to discuss emerging and priority issues touching on women, youth, children, PWDs, Older members of society and minority and marginalized groups both at the national and county government levels. The meetings brought together critical actors (national, county, private, academia, non-state actors, media and researchers), to discuss emerging and priority issues around equality and inclusion.



During the period under review, the Commission in collaboration with Reinvent programme and Humanity Inclusion strengthened the capacity and management of twelve (12) Equality and Inclusion Technical Working Groups (E&ITWGs) in Kilifi, Wajir, Vihiga, Isiolo, Nyandarua, Bungoma, Kisumu, Kitui, Nakuru, Tana River, Turkana and Taita Taveta Counties to comprehensively address issues of equality, freedom from discrimination and inclusion for SIGs, including women, youth, persons with disability (PWDs), children, older members of society, minority and marginalized groups. Further, the

facilitated dialogue forums with male opinion leaders in 5 Counties: Vihiga, Kilifi, Wajir, Nyandarua, Isiolo Samburu, West Pokot, Laikipia, Tharaka Nithi, Turkana. The objective of the dialogue forum was to get commitments from male opinion leaders to be champions for gender equality and women empowerment both at the County and National level through transforming social and gender norms that reinforce patriarchy and inequality. In total, the Commission reached out to 550 male opinion leaders. The activity sought to challenge conceptions of masculinity by engaging male champions to support the change of attitudes towards women and girls and particularly towards those who are most vulnerable. Further, the Commission coordinated and facilitated public education forums in 4 Counties (Narok, Nakuru, Nyeri and Laikipia) on the rights of SIGs during emergencies especially during the COVID-19 pandemic.

During the reporting period, the Commission continued to facilitate the review process of the first edition (2014) of the national monitoring and evaluation framework towards prevention and response to SGBV.

The year under review was not without challenges, key among them being;

- a)** Lack of compliance of public and private sectors with minimum requirements of gender equality and inclusion
- b)** Limited regional coverage of the issues affecting special interest groups. The Commission has five regional offices spread across the country. With limited vehicles and staffing levels, the five offices have inadequate capacity to reach and address all matters affecting special interest groups and
- c)** Inadequate funding reduces the Commission's visibility, reach to most vulnerable populations and affects frequencies in the national reporting of conventions and treaties relating to SIGs.

To address the challenges, this report makes the following recommendations:

- a) That the Commission expand its partnerships and collaborations with the private sector and development partners to increase our support (financial, technical and in-kind) on gender equality and freedom from discrimination.
- b) In many jurisdictions, government agencies access their budget and grants upon submission of a certificate of clearance from equal opportunities oversight bodies (the equivalent of the NGEC) stating that the agency has put adequate measures in their planning and budgeting tools to address inequalities and exclusions. If such a measure is introduced in Kenya, certainly many government agencies would comply with the requirements of inclusiveness. The State to consider this proposal.
- c) The Government to consider increased financial support for the Commission directed at full operationalization of the five regional offices and opening at least two more offices per year. The investment will increase the capacity of the Commission to handle matters of equality and inclusion particularly among vulnerable populations living in hard-to-reach areas.

In the next Financial Year, the Commission has prioritized the following interventions:

- a) Documentation of the key achievements in the gender agenda realized in the 10 years of existence of the National Gender and Equality Commission. The Commission was established in 2011 and it is important as we celebrate the 10<sup>th</sup> anniversary we take stock of the achievement, missed and lost opportunities and formulate strategies for addressing discrimination and gender inequalities in the next ten years
- b) Facilitate the development of a framework for greater and meaningful involvement of PWDs and youth in anti-corruption programs. PWDs and youth are most affected by corruption and we acknowledge that they too have a significant contribution in building ethos and beliefs on integrity, equality and non-discrimination.
- c) Monitor and audit participation on SIGs in the 2022 general elections including in the political parties (political party code of regulations, constitutions, governance structures, dispute resolution procedures), civic education programs, nominations, voter registration and education, political party primaries, simulations, voting and post-election management processes.
- d) Facilitate the development of a model child pregnancy management and control strategy for consideration by national and county governments
- e) Complete the audit of the uptake and effect of green energy among special interest groups including uptake of solar lanterns, improved cooking *Jikos* among others
- f) Operationalization of the Commission rules and regulations to strengthen procedures for the conduct of investigations, management of complaints. The program shall involve inaugural sittings of the Commission in 5 counties to hear and process complaints on equality and inclusion.
- g) Expand in the scope of interventions on universal access to public infrastructure. The Commission launched a pilot project on access to public transport in Nairobi and wish to expand the coverage and reach to provide national and county governments with concrete recommendations for consideration in ensuring universal access to among others Bus Rapid Transit.
- h) Building capacity of Commissioners and management team on corporate governance, and knowledge management. The Commission anticipates to receive two new Commissioners and recruit additional technical staff, all of whom will require induction.
- i) Continue to take stock on the effect of COVID-19 on SIGs and formulate strategies for reducing COVID-19 and other emergencies related harm and vulnerability among these groups.

This report is divided into five chapters. Chapter 1 describes the mandate, composition and structure of the Commission. Chapter 2 chronicles critical programmatic achievements in key strategic objectives while Chapter 3 details public education and advocacy interventions as well as the institutional growth achieved in the past year concerning personnel, information and technology, procurement and strengthening its risk management functions. The audited accounts of the Financial Year 2020/2021 are presented in Chapter 4 while Chapter 5 describes the key challenges, recommendations and priority areas of the Commission for the Financial Year 2021/2022.

## Introduction

### **Reporting by Commissions and Independent Offices.**

Article 254 (1) of the Constitution of Kenya 2010 requires Constitutional Commissions and holders of Independent Offices to submit a report to the President and Parliament as soon as practicable after the end of each Financial Year.

Section 53 (1) of the National Gender and Equality Commission Act No. 15 of 2011 states the report of the Commission under Article 254 of the Constitution shall, in respect of the Financial Year to which it relates, contain;

- a) the financial statements of the Commission;
- b) a description of the activities of the Commission;
- c) recommendations on specific actions to be taken in furtherance of the findings of the Commission;
- d) recommendations on legal and administrative measures to address specific concerns identified by the Commission; and
- e) any other information relating to its functions that the Commission considers relevant.

This report is prepared according to Article 254 of the Constitution of Kenya 2010 and Section 53 of the National Gender and Equality Commission Act No. 15 of 2011. The report details key achievements made by the Commission in the Financial Year 2020/2021 in monitoring, auditing, facilitating and coordinating the integration of the principles of equality and inclusion at international, regional and national levels, and a summary of good practices and challenges encountered during implementation of its programmes.

# CHAPTER ONE

## 1.0 The Commission

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

The Commission headquarters is in Nairobi with five regional offices in Garissa, Kisumu, Nakuru, Kitui and Kilifi. As per the provisions of the National Gender and Equality Commission Act No. 15 of 2011, the Commission consists of a Chairperson and four other members appointed per its constitutive act. The Chairperson and members serve on a full-time basis for a non-renewable term of six years. By the end of the Financial Year under review, the leadership of the Commission comprised of Dr Joyce M. Mutinda (PhD) **EBS**, as Chairperson, Dr Chomba Munyi (PhD) **MBS** as the Vice-Chairperson and Hon. Priscilla Nyokabi Kanyua **EBS** as Commissioner and Betty Sungura-Nyabuto (**MBS**) the Commission Secretary/CEO.

## 1.1 Functions of the Commission

The mandate of NGEC is spelt out under Section 8 of the National Gender and Equality Act No. 15 of 2011 as follows:

- a) promote gender equality and freedom from discrimination under Article 27 of the Constitution;
- b) monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;
- c) act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- d) co-ordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and advise the Government on all aspects thereof;
- e) monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;
- f) investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned;
- g) work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
- h) co-ordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
- i) conduct and coordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
- j) receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the

- implementation of the principles of equality and freedom from discrimination;
- k) work with the Kenya National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaboration in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
  - l) prepare and submit annual reports to Parliament on the status of implementation of its obligations under this Act;
  - m) conduct audits on the status of special interest groups including minorities, marginalized groups, persons with disabilities, women, youth and children;
  - n) establish, consistent with data protection legislation, databases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
  - o) perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and
  - p) perform such other functions as may be prescribed by the Constitution and any other written law.

## **1.2 Powers of the Commission**

### **General functions and powers.**

In addition to the powers conferred in Article 252 of the Constitution, Section 26 of the National Gender and Equality Commission Act No. 15 of 2011 confers the Commission powers to;–

- a) issue summons as it deems necessary for the fulfilment of its mandate;
- b) require that statements be given under oath or affirmation and to administer such oath or affirmation;
- c) adjudicate on matters relating to equality and freedom from discrimination;
- d) obtain, by any lawful means, any information it considers relevant, including requisition of reports, records, documents and any information from any person, including governmental authorities, and to compel the production of such information for the proper discharge of its functions;
- e) by order of the court, enter upon any establishment or premises, and to enter upon any land or premises for any purpose material to the fulfilment of the mandate of the Commission and in particular, for the purpose of obtaining information, inspecting any property or taking copies of any documents, and for safeguarding any such property or document;
- f) interview any person or group of persons;
- g) subject to the adequate provision being made to meet his expenses for the purpose, call upon any person to meet with the Commission or its staff, or to attend a session or hearing of the Commission, and to compel the attendance of any person who fails to respond to a request of the Commission to appear and to answer questions relevant to the subject matter of the session or hearing;
- h) conduct audits of any public or private institution to establish the level of compliance with the Constitution with regard to integrating the principle of equality and equity in its operations; and
- i) require any public or private institution to provide any special report on matters relating to the institution's implementation of the principle of equality and equity including gender equity.

## CHAPTER TWO

### 2.0 Programmatic Interventions

This chapter presents theme-based policy and programmatic achievements for the Financial Year 2020/2021.

#### 2.1 Compliance, Monitoring and Reporting

##### 2.1.1 Equality and Inclusion in Ministries, Departments and Agencies (MDAs)

Function 8 (j) of the National Gender and Equality Commission Act No. 15 of 2011 mandates the Commission to receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination. In line with this function, the Commission in collaboration with the State Department for Gender (SDfG) developed a Gender Mainstreaming reporting tool and Performance Measuring indicator tool for the Performance Contracting Guidelines (PCG) for Financial Year 2020/2021. The PCG guidelines for Financial Year 2020/2021, reintroduced gender mainstreaming indicators which necessitated a review of the reporting tools used by Ministries Departments and Agencies (MDAs) to file their quarterly reports.

During the year under review, the Commission facilitated 400 gender focal persons with skills to apply the Gender Mainstreaming tools and attendant documents to provide timely and reliable data on progress being made by Ministries, Departments and Agencies (MDAs) on gender mainstreaming. The focal persons were drawn from different MDAs signatory to performance contracting. During the same period, the Commission issued 84 certificates of compliance and corresponding advisories to MDAs that reported on gender equality and freedom from discrimination in the Financial Year 2019/2020.

The advisories identify areas of improvement that each agency should deal with to effectively integrate principles of gender equality and inclusion in public service delivery. In compliance with the Performance contracting guidelines of the 17<sup>th</sup> Cycle, the Commission received performance reports on gender mainstreaming from 299 agencies for the Financial Year 2020-2021 representing an increase of 256% from the number of reports received in the Financial Year 2019/2020. The increase is attributed to the reinstatement of gender indicators in the public performance management policy. The reports will be analyzed and feedback issued during the Financial Year 2021/2021.

In the Financial Year 2020/2021, the Commission facilitated **35** government institutions to improve on the integration of the principles of equality and inclusion within their programming. This was mainly done through facilitative training. The training sessions were geared towards enabling responsible officers to mainstream gender equality in all their operations and report accurately and in timely manner efforts, their institutions have put in place to address gender equality and inclusion issues. The institutions included: the Kenya Plant Health Inspectorate Service, Kenya Agricultural and Livestock Research Organization, Kirinyaga University, Postal Corporation Savings Bank, Kenya Industrial Properties Institute, the National Youth Council, Konza Technopolis Development Authority, National Youth Service, Uwezo Fund, Kenya Roads Board, the Kenya National Examinations Council, UoN Kisumu Campus Staff, Bomet University College, Laikipia University, University of Nairobi, the Universities Fund, KNATCOM, KMTC, Machakos County Government, Energy and Petroleum Regulatory Authority, Geothermal



Development Company, Industrial and Commercial Development Corporation Maseno University, the Kenya Universities and Colleges Central Placement Service, the Machakos sub-county gender mainstreaming groups among others.

The Commission also facilitated various MDAs to develop workplace gender equality and inclusion mainstreaming policies including GBV policies, the disability policy, and sexual harassment policy, and gender sector action plans. Some of the government agencies facilitated included: State House, Kenya Medical Training College, Kenya Industrial Properties Institute, the Kenya Roads Board, Ministry of Health, Kirinyaga University, Industrial and Commercial Development Corporation, Local Authorities Provident Fund, and National Irrigation Authority among others.

Based on the analysis of the reports received and training offered to the gender focal persons or gender committees, the Commission notes that gender gaps exist in meeting the not more than two-thirds gender principle and associated thresholds by disabilities at the policy and management level, and the progressive implementation of the principle that at least 5% of members in appointive and elective bodies are PWDs, and implementation of gender-friendly workplace policies.

### **2.1.2 Equality and Inclusion in County Governments**

The Commission finalized the review and published the guideline for county governments on equality and inclusion in leadership titled, '*Guide for County Government Leadership; Integration of Gender Equality, Inclusion in County Development*'. The review of these guidelines was based on lessons learnt on the integration of the principles of equality and inclusion in County Government structures over the last six years since the onset of devolved governments. The review also emphasized practical processes through which County Governments can accelerate promotion and the realization of gender equality and inclusion in leadership, planning, workforce and budgeting. The guide specifically targets officials at the County level charged with the responsibilities of providing services, staff recruitment and promotion and responding to public concerns. The guideline will be launched in the Financial Year 2021/2022.

The Commission facilitated a session on Strides towards Inclusivity in Political and Decision Making during a forum organized by the County Assemblies Forum dubbed, "*bringing the 65th session of CSW home*" held in Kericho County. In collaboration with Humanity Inclusion, the Commission disseminated the County Model Policy and Model Legal framework on Sexual Gender-Based Violence in five (5) counties – Kilifi, Vihiga, Nyandarua, Wajir and Isiolo. The two model policy and legal frameworks will facilitate the counties to formulate county-specific laws and policies that address SGBV by taking into consideration the county-specific gender-related issues, challenges and strategies to be put in place. The dissemination is part of the larger project funded by the European Union and implemented by NGECC and Humanity Inclusion to enhance the capacity of institutions and organizations to promote gender-sensitive governance and development in Kenya. The model policy and legislations framework are also key sources of information for the duty bearers on response, prevention, and management of SGBV.

### **2.1.3 Equality and Inclusion in Child Programs**

The Commission monitored the distribution of dignity kits for boys and girls in Machakos County. A total of 147 boys and 148 girls were issued with the dignity kits. The children

received information on how to use the dignity kits and appreciate gender dimensions and how such influence gender gaps, gender inequalities and gender norms in schools and communities. During this intervention, the Commission conducted a rapid assessment on the levels of preparedness of the schools to integrate principles of inclusion and equity in their infrastructure including in washrooms, classrooms, staff rooms, playfields, among others. The Commission advised the school's management to take appropriate measures to address the gaps identified. A key recommendation from the monitoring exercise was the expanded consideration of boys in the dignity program so that across the country boys like girls are provided dignity packs.



**Chairperson Dr. Joyce Mutinda (PhD) poses with school girls in Machakos County after receiving dignity kits donated by the UNFPA**

Discussions indicated that boys too needed appropriate dignity kits that would enhance their hygiene and grooming. The Commission advised for the provision of an appropriate kit for boys which came complete with a set of underpants, sanitary products including soaps, comb, lighting gadgets among other assorted personal effects.

The Commission facilitated the State Department for Social Protection in the development of a roadmap towards the development of guidelines and a training manual for a national parenting program. The program is expected to capture the challenges and experiences in raising children in contemporary society with a focus on addressing issues such as peer pressure, alcohol and drug abuse, blended families, technology and social media among others. The Commission facilitated the review of posters by the State Department of Basic Education on advocacy, social support and gender sensitization in schools. These included posters on early marriages, Gender-Based and School Violence, Hotlines/Contacts, Child Abuse Referral systems, School Violence, Child Labor, Children with Disabilities, FGM and School drop-out. The Commission reviewed and submitted data and comments for use in improving the materials. The educational materials were intended for use during the 2020 festive season and beyond.



### 2.1.4 Equality and Inclusion in the Private Sector

The Commission audited firms listed in the Nairobi Stock Exchange (NSE) through a desktop study to establish board composition and compliance with the constitutional and statutory requirement on the two-thirds gender principle. Board composition in corporate governance is a critical factor in corporate performance. The desktop study was undertaken within the week of 8th – 12th March 2021. 59 companies were audited and board member composition was analyzed. Information on three listed companies (East African Portland Cement Company, New Gold Issuer (RP) and Uchumi supermarkets) could not be accessed. Of the companies audited, the assessment shows that there are 508 board members, out of which 127 are female while 381 are male.

Out of the 59 Companies audited, 18 Companies (30.5%) had attained the board composition threshold of not more than two-thirds of gender. One-fifth of the companies 12 companies did not have women serving on the Boards. At the time of assessment, Deacons Africa had the highest proportion (75%) of women serving on the board while only Eveready Group had a woman chairperson of the Board.

During the period under review, the Commission contributed to a study on Women in the Manufacturing Sector and the dissemination of the research findings of the study. The findings of the study will support the private sector to develop relevant gender mainstreaming policies to guide their operations, programs and service delivery while ensuring compliance with constitutional and statutory requirements. The Commission also contributed to a study by the Kenya Private Sector Alliance (KEPSA) aimed at assessing the impact of GBV in the workplace.

### 2.1.5 Equality and Inclusion in Elections

The Commission presented a paper to the Selection Panel for the Appointment of Members of the Independent Electoral and Boundaries Commission (IEBC) on effective management of elections: the perspective from election observers. The presentation looked at the key components for the effective management of elections including the presence of a comprehensive legal framework and administered by well-established and adequately resourced institution(s) with strong leadership. It affirmed that effective management of elections should embrace technology, expand space for media, promote gender-responsive reporting and ensure inclusivity for all. During the presentation, the Commission advised the selection panel to ensure that the composition of IEBC adheres to the not more than two-thirds gender principle as provided for in Article 27 (8) of the Constitution of Kenya, 2010 and the IEBC act 2011.

### 2.1.6 Equality and Inclusion in the Public Transport Sector

The Commission through the Kilifi Regional office in collaboration with the Institute for Transportation and Development Policy (ITDP, the Kenya National Highways Authority (KENHA), Kenya Urban Roads Authority (KURA) and, National Transport Safety Authority (NTSA) among other stakeholders contributed to the review of the Mombasa County Government County Draft Transport policy, 2018. The Commission sought to ensure that strategies put in place provide for inclusive public transport in the County with a focus on persons with limited mobility including older persons, PWDs, pregnant mothers, young children.

The Commission through the Kisumu Regional office participated in the Kisumu Sustainable Mobility Plan (KSMP) Webinar on 22 July 2020. The plan highlights current transport issues in the city, ongoing and planned projects and current policies and legal

frameworks. It recommends the prioritization of efficient public transport and enhanced mobility through road design incentives. The Commission ensured the integration of the principles of equality and inclusion in the plan thereby enhancing mobility and accessibility of Special Interest Groups.

### **2.1.7 Equality and Inclusion in the Constitutional Reform Processes**

The Commission facilitated discussions with the Persons with Disabilities (PWDs) caucus on key issues of inclusivity, equality and non-discrimination, participation and involvement of PWD's in public affairs within the context of the 2020 constitutional debates and proposed reforms. These were centered on the report of the steering committee on the implementation of the Building Bridges Initiatives to a United Kenya taskforce report. In addition, the Commission facilitated a workshop for women with disabilities to discuss gender and disability implications of the Building Bridges Initiatives to a United Kenya taskforce report.

In addition, the Commission in collaboration with the Center for Minority Rights Development (CEMIRIDE) coordinated stakeholders to inform them on the content of the BBI report and implications of the report to the minority and marginalized groups for effective participation and contribution to the process.

### **2.1.8 Integration of the Principles of Equality and Inclusion in Policy and Legislation**

#### **a) Minimum Age of Consent for Sex**

The Commission in collaboration with Plan International Kenya and Collaborative Centre for Gender and Development (CCGD), REINVENT program among other stakeholders launched the report "*Minimum Age of Consent for Sex: Addressing the Dilemma: A summary report of discussions and proposals from multi-sectoral stakeholders' fora, 2019*". The report recommends among others the fast-tracking of the enactment of the Children's Bill (2020); full implementation of the National Children Policy (2010) and commencement of implementation of the National Family Promotion and Protection Policy (2019). During the launch, the Cabinet Secretary responsible for children matters in the Ministry of Labor and Social Protection pronounced the Government position on

the matter stating that the *Age of consent for Sex in Kenya is 18 years*”.



**Labour and Social Protection Cabinet Secretary Simon Chelugui flanked by Chairperson Dr. Joyce Mutinda during the launch of the report on the minimum age of consent for sex**

### **b) Compliance with the Not More than Two-Thirds Gender Principle**

The Commission in collaboration with Humanity Inclusion through the support of the European Union strengthened the capacity of grassroots movements and leaders in five counties – (Vihiga, Kilifi, Wajir, Nyandarua, Isiolo Samburu, West Pokot, Laikipia, Tharaka-Nithi, and Turkana to advocate for the realization of the not more than two-thirds gender principle. The forums brought together more than 450 local leaders who committed to support and advocate for the integration of the principles of equality and freedom from discrimination in county policies, laws, administrative regulations, and operations. They also committed themselves to influence behaviour change by addressing attitudinal barriers to women in leadership. The action seeks to promote a bottom-up approach by building the capacity of actors at the grassroots levels to influence key outcomes of gender equality.

### **b) Review of Bills and Policies**

During the year under review, the Commission reviewed and issued memoranda to 67 legal, policy and administrative instruments both at the County and National level as summarized in Table 1. The inputs were mainly to address equality and inclusion issues and ensure the rights and freedoms of the most vulnerable population is guaranteed, protected and promoted. The Commission also reviewed the language used by drafters to avoid any derogatory terms and phrases in describing the status and needs of SIGs. The investment by the Commission in the review of laws and policies represent a 76% increase as compared to the number of legal instruments reviewed during the year 2019/2020.

**Table 1: Legal, Policy, Guidelines and Administrative Instruments**

S/N	Instrument	National Assembly	Senate	County	Policies Guidelines
1	Reproductive Health Care Bill (Senate Bill No. 23 of 2019)		√		
2	Reproductive Health Care Bill (Senate Bill No. 23 of 2019)		√		
3	Poverty Eradication Bill, 2020	√			
4	Mediation bill (national assembly bill no.17 of 2020)	√			
5	The social assistance (repeal) bill, 2020	√			
6	Persons with Disabilities, Amendment Bill, 2020	√			
7	The Narcotics, Drugs and Psychotropic Substances (control) (Amendment) Bill 2020	√			
8	Remuneration Guidelines for the Public Sector, 2020				
9	The County Governments (General) Regulations 2020		√		
10	The Law of Succession (Amendment) Bill, 2020	√			
11	Constitutional Amendment BBI (2021) Bill-National Assembly	√			
12	The Children (Amendment) Bill 2020- National Assembly	√			
13	Community Health Workers Bill 2020- National Assembly	√			
14	Health Laws (Amendment) Bill, 2021- National Assembly	√			
15	Community Health Services Bill, 2020		√		
16	The Political Party Primaries Bill 2021-		√		
17	The Mental Health Amendment Act 2021		√		
18	East Africa Community Gender Equality and Development Bill, 2017				

**Table 1: Legal, Policy, Guidelines and Administrative Instruments**

19	The Disaster Risk Management Bill (Senate Bills No. 14 of 2021)		√		
20	Prompt Payment Bill Senate Bills No. 16 of 2021)		√		
21	The Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 7 of 2021)		√		
22	The County Vocational Education and Training Bill (Senate Bills No. 6 of 2021)		√		
23	The Basic Education (Amendment) Bill (Senate Bills No. 4 of 2021)		√		
24	The Kenya Sign Language Bill (Senate Bills No 5 of 2021)		√		
25	The National Hospital Insurance Fund (Amendment) Bill (National Assembly No 20 of 2021)	√			
26	The National Addressing Bill, 2021	√			
27	Breastfeeding Mothers Bill, 2019	√			
28	Garissa County Immunization Bill, 2020				
29	Nakuru County Gender Equality Bill 2019				
30	Kisumu County Gender Mainstreaming Policy 2020				
31	Kitui County Gender Policy				
32	Meru County Gender Mainstreaming Policy				
33	Draft Siaya County SGBV Policy, 2020				
34	Kisumu County SGBV Policy, 2019				
35	Migori County SGBV policy, 2020				
36	Nakuru County Disability Act, 2016				
37	Garissa County Gender policy, 2020				

**Table 1: Legal, Policy, Guidelines and Administrative Instruments**

38	Mombasa County Draft Transport Policy 2018				
39	Kilifi County gender-based violence Policy,2019				
40	Kilifi County Gender Policy,2019				
41	Migori County GBV Policy,2019				
42	Nakuru County Gender and development Policy 2021				
43	Busia County Gender Policy 2019				
44	Mandera County Emergency Fund Act, No 3 of 2020				
45	Tana River County Disaster Risk Management Act, 2020				
46	Draft Vihiga County Gender Policy, (2020)				
47	Kilifi menstrual hygiene management policy (2021)				
48	The National Addressing Policy 2021				
49	National policy on disability 2016				
50	Sessional Paper number 3 of 2012 on Population Policy for National Development				
51	Guidelines for the formulation of County Employment Equity Plan (CEEP),2021				
52	Victims Protection General Regulations,2020				
53	Victims Protection Fund Regulations 2020				
54	The Public Finance Management Social Assistance fund regulations 2019				
55	Public Finance Management Biashara Fund Regulations, 2020				

**Table 1: Legal, Policy, Guidelines and Administrative Instruments**

56	The National Gender and Equality Commission Complaints Handling, Practice and Procedure Regulations, 2020				
57	Persons with Disabilities (access to employment, services and facilities) (amendment) regulations, 2009				
58	Persons with Disabilities (income tax deductions and exemptions) (amendment) 2019				
59	Persons with Disabilities (Registration) (amendment) 2019				
60	The Draft National Building Code, 2020				
61	Draft-Energy-Electricity-Reliability-Quality-of-Supply-and-Service-Regulations, 2021				
62	Access to Information Regulations, 2021				
63	The action plan for the implementation of the National Gender and Development Policy				
64	Victims Protection General Regulations				
65	Victims Protection Fund Regulations 2020				
66	The Care and Protection of Older Members of Society Bill, 2020		√		
67	The Sexual Offences(Amendment),2019 Bill	√			

Source: NGEN Reports, 2021



**b) Issuance of Advisories**

In the Financial Year 2020/2021 the Commission issued 6 advisories as follows:

- i. The State Department for Fisheries, Aquaculture and the Blue Economy, Ministry of Agriculture, Livestock, Fisheries and Cooperatives, following an advertisement in the Daily newspapers seeking to recruit persons for training and specifically on the eligibility of the applicants. The Commission noted that the criteria of eligibility was highly discriminatory and contrary to the principle of gender equality, equity and fairness and advised the Ministry to withdraw and reconsider the criteria of eligibility based on the values and principles of equality and freedom from discrimination as enshrined in the Constitution of Kenya, 2010.
- ii. Cabinet Secretary, Ministry of Labour and Social Protection on the proposed engagement of street children in the Nairobi Metropolitan Services (NMS) Power plan. The Children would be hired by NMS and get involved in the sorting of trash material from the Dandora Dumpsite before it is taken into the processing factory for use in generating power. The Commission requested the ministry to reconsider its position and ensure children are protected from harmful and exploitative labour.
- iii. Judicial Service Commission for the appointment of Chief Justice and a judge of Supreme Court to ensure the recruitment processes support Supreme Court in its entirety comply with the not more than two-thirds gender principle, and promote the participation of the SIGs as eligible applicants in the recruitment processes. This means the desired gender composition of judges in the court should fall below one third for either gender.
- iv. The Selection Panel for the IEBC Commissioners on promotion, protection and fulfilment on the affirmative action and inclusion of SIGs in the recruitment process including adherence to the not more than two-thirds gender principle in the entire composition of the policy arm of the Commission.
- v. Provided a framework for monitoring the implementation of voluntary 50 hours of pro-bono legal services to victims of Gender-Based Violence (GBV) offered by Mr. Edwin Sifuna, (the Secretary-General, Orange Democratic Party (ODM) to the National Cohesion and Integration Commission (NCIC). This was based on a request by the NCIC following investigations into the political rhetoric and vulgar remarks made on December 11, 2020, by Malindi MP Hon. Aisha Jumwa and ODM Secretary-General Mr. Edwin Sifuna during the campaigns rallies held in Msambweni Constituency.
- vi. Advisory to homeboyz radio of the Radio Africa Group based on a request by the Communications Authority of Kenya and major outcry by Kenyans about the use of derogatory and discriminatory language used against women and girls on 25<sup>th</sup> March 2021 on its morning show the Lift-Off. The Commission advised the station to review its editorial policy and align it with the law on gender requirements and train its employees on gender mainstreaming. The Commission offered itself to observe the training sessions and issue a compliance certificate upon completion of conduct of the training.



### 2.1.9 Facilitate State Compliance on Reporting of International and Regional Obligations

The National Gender Equality Commission is mandated to act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups. Under this function, the Commission contributed to the development of country reports and in few cases participated in the hearing sessions organized by the treaty bodies. The sections that follow provide a detailed account of each international or regional obligation.

#### a) The 65<sup>th</sup> Commission on the Status of Women (CSW)

The 65<sup>th</sup> Session of the Commission on the Status of Women took place from 15 to 26 March 2021. Due to the COVID-19 pandemic, the CSW65 took place in a blended format with much attendance being virtual meetings. The theme of the 2021 session was *“Women’s full and effective participation and decision-making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls”*.

As a member of the technical committee, the Commission facilitated the State in the planning and localizing the 65<sup>th</sup> UN Session of the Commission on the Status of Women (CSW 65) and contributed to the preparation of the Kenya Country Position paper. The Commission participated in local, regional and global meetings, side events and workshops organized during the Conference. On 18<sup>th</sup> March 2021, the Commission presented a paper on barriers to full and effective participation of women and girls with disabilities. The virtual event sought to find effective strategies to promote greater recognition and realization of the rights of women and girls in the context of their participation. The Commission participated in 9 side events organized along with the CSW session. The Commission will monitor and ensure compliance by the State on concluding observations made in the 65<sup>th</sup> session of the CSW.

#### b) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The UN Convention on Elimination of all Forms of Discrimination against Women establishes important milestones for the protection of women’s human rights and the achievement of gender equality. During the period under review, the Commission facilitated the State Department for Gender and key partners with data and content in preparation for Kenya’s 9<sup>th</sup> Periodic Report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Commission documented actions implemented as per the concluding observations and recommendations made in the 8<sup>th</sup> cycle CEDAW Report.

#### c) United Nations Convention on the Rights of the Child (UNCRC) and African Charter on the Welfare and Rights of the Child (ACWRC)

During the review period, the Commission facilitated the National Council for Children Services (NCCS) in the development of a roadmap to guide State reporting for the United Nations Convention on the Rights of the Child (UNCRC) which will be held in September 2021. The Commission also worked closely with the Ministry for Labor and Social Protection in the development of the state report on the African Charter on the Welfare and Rights of the Child (ACWRC). The report was presented in December 2020.

**d) International Convention on Civil and Political Rights (ICCPR)**

The Commission facilitated the State-law Office and Department of Justice in the Office of the Attorney General in preparing a report responding to the list of key issues raised by the UN Human Rights Committee based on the 4<sup>th</sup> Kenya period report on the International Convention on Civil and Political Rights (ICCPR) submitted in December 2018. NGECC presented data and information on women political participation, violence against women in politics and violence against women in elections, women representation in the private sector and the review of the political parties laws and regulations. The information and data-informed the Kenya oral dialogue session that was held in November 2020 on Kenya's compliance with her obligations under the ICCPR.

**e) Universal Periodic Review (UPR)**

The Commission facilitated the Office of the Attorney General and Department of Justice in the development of an implementation matrix for the 3rd cycle review recommendations under the Universal Periodic Review Process. The matrix outlines the tasks to be undertaken to implement the recommendations, indicators to monitor the progress made, responsible actors, and timelines within which the tasks should be undertaken and completed. The Commission also participated and contributed to the validation forum organized for the development of the Implementation Matrix for the 3rd cycle review recommendations under the Universal Periodic Review Process for 2021-2025. The matrix outlines the tasks to be undertaken by various actors to implement the recommendations of the UPR reports. The matrices have indicators to monitor the progress made, timelines for each action and responsible actors.

**f) International Convention on Elimination of All Forms of Racial Discrimination (ICERD)**

The Commission facilitated the Department of Justice, in the Office of the Attorney General in preparing the 8<sup>th</sup> and 9<sup>th</sup> State report on the International Convention on Elimination of All Forms of Racial Discrimination (ICERD). Kenya ratified this Convention in September 2001. The Commission provided information about the status of each of the special interest groups in regards to various forms of discrimination and the measure required to eliminate such discriminations based on ethnicity and race. The Commission also facilitated the Department of Justice response to a list of concluding observations and recommendations made by the UN Committee of Elimination of Racial Discrimination on Kenya's 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Periodic Report.

**g) Sustainable Development Goals (Agenda, 2030)**

During the reporting period, the Commission contributed to the review of the progress made by Kenya on Sustainable Development Goal (SDG) on Gender Equality (Goal5). The review noted that though Kenya has made remarkable progress, a lot more needs to be done towards ending all discrimination against women and girls for a sustainable future. The Commission also contributed to the review process on the implementation of the Sustainable Development Goals (SDGs) at the National and County levels and planning for accelerated implementation. The Commission gave inputs on strategies for practically integrating the principles of gender equality and freedom from discrimination across all the SDGs interventions.

The Commission also contributed to the development of the Kenya Country position paper and statements for the 2021 United Nations High-Level Political Forum on Sustainable Development (UN HLPF 2021) on Sustainable Development and the annual Ministerial

review held in the Financial Year 2020/2021 (2nd-16th July 2021) in Paris, France. The high-level political forum on sustainable development (HLPF) is the core United Nations platform for follow-up and review of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals. The Forum meets annually under the auspices of the Economic and Social Council. The theme for this year was *“Sustainable and resilient recovery from the COVID-19 pandemic that promotes the economic, social and environmental dimensions of sustainable development: building an inclusive and effective path for the achievement of the 2030 Agenda in the context of the decade of action and delivery for sustainable development”*.

#### **h) Generation Equality Forum**

Kenya is a member of the Generation Equality Forum – which is an international platform that seeks to accelerate the implementation of the Gender Equality commitments in the Beijing Declaration and platform for action, 1995 to achieve transformative change. It was convened by UN Women and co-hosted by the governments of Mexico and France. The Forum brings together governments, corporations, NGOs, youth-led groups and Foundations to secure the concrete, ambitious, and transformative commitments for gender equality. The Kenya Chapter brings together both state and non –state actors with commitments from the highest political officer – HE, the President of Kenya. Kenya is co-leading the Gender-Based Violence (GBV) coalition alongside the UK, Uruguay and Iceland and member states, the European Union, Ford Foundation and civil society and private sector partners. The Commission participated in the launch of the Kenyan Chapter of Generation Equality Forum: Kenya’s Roadmap for Advancing Gender Equality and Ending all Forms of Gender-Based Violence and Female Genital Mutilation by 2026 which was held on 28<sup>th</sup> May 2021. The Commission continues to facilitate and monitor the implementation of the commitments made by the H.E President of Kenya.

#### **i) International Conference on Population and Development, (ICPD+25**

The Commission facilitated the development and review of the indicators for the implementation of the 25 years post-1994 International Conference on Population and Development, (ICPD+25 Nairobi Summit), Kenya Country Commitments. The Commission paid attention to indicators focusing on gender equality and freedom from discrimination. The indicators were also included in the National Information System (e-NIMES). Further, the Commission facilitated the unit of monitoring and evaluation in the State Department of Planning with the development of a strategic plan to support the National Integrated Monitoring and Evaluation System (e-NIMES).

The Commission in collaboration with National Council for Population and Development (NCPD) contributed to the review of the implementation status of the activities in the ICPD25 Kenya Country Commitments Action Plan and the development of the draft 2019 – 2020 ICPD25 Annual Report on Implementation of Kenya County Commitments. NGEC took lead in reporting on commitment No.15: End gender and other forms of discrimination by 2030. The activity took place on 26<sup>th</sup> -30<sup>th</sup> October at Egerton University, Nakuru County.

On improvement of measurement for demographic dividends in Kenya under the Population and Development Program, NGEC facilitated the NCPD formulate and developed composite measurement and indicators for Kenya Demographic Divided Effort Index (DD). The Kenya draft DD report is ready and shall be launched by August 2021.

A demographic dividend (DD) presents countries with the opportunity to accelerate economic growth and achieve sustainable development and social change. The DD postulates that it is the result of changes in the population age structure that occur from declines in both child mortality and fertility. To fully harness the benefits produced by the DD, countries require targeted investments in human, social, and physical capital. The demographic dividend effort index (DDEI) fulfils the need for a standard measure to quantify the extent of multi-sectoral national efforts in policies and programs.

NGEC contributed by sharing data and information on six sectors identified as being integral to the creation of a favourable environment for the DD namely Family Planning (FP), Maternal and Child Health (MCH), Education (ED), Women's Empowerment (WE), Labor Market (LM) and Governance and Economic Institutions (GEI) with special focus on women empowerment.

#### **j) Climate Change / Engendering REDD+ Readiness Process in Kenya**

Kenya is a signatory of the Cancun Agreements reached at the 16<sup>th</sup> Conference of the Parties (COP 16) to the United Nations Framework Convention on Climate Change (UNFCCC) which set the stage for a global policy initiative that seeks to address threats of climate change through Reducing Emissions from Deforestation and Forest Degradation and to foster Conservation, Sustainable Management of Forests and Enhancement of Forest Carbon Stocks referred to as REDD+.

During the period under review, the Commission in collaboration with the Ministry of Environment and Forestry, UNDP and other stakeholders participated in phase two of the gender inclusion assessment of forest-dependent communities in forest conservation and management, covering 12 Counties including Meru, Tharaka Nithi, Embu, Nyeri, Makueni, Kitui, Taita Taveta, Kiambu, Kwale, Kilifi, Isiolo and Marsabit.



#### **Participants follow through the proceedings at a public forum in Embu County**

The Commission facilitated and guided the integration of the principles of equality and inclusion in the assessment process. This was a follow up to the first phase (phase one) assessment conducted by the Commission in the Financial Year 2019/2020 in Elgeyo Marakwet, Trans Nzoia, Bugoma, West Pokot, Laikipia, Nakuru, Narok counties. The assessment findings and recommendations will inform key strategies to ensure the realization of the principles of equality and inclusion in the implementation of the REDD+ readiness project in Kenya. The assessment provided guidelines towards the development of a National REDD+ Gender and Indigenous Person Action Plan where



NGEC is responsible for ensuring consideration of SIGs issues and incorporation of equality and inclusion principles in the overall REDD+ programming.

Further, in collaboration with UNDP and other stakeholders, the Commission facilitated the development of Gender and Indigenous action plans to ensure integration of the principles of equality and inclusion) in the implementation of the global environmental initiatives branded Reducing Emissions from Deforestation and Forest Degradation, and the role of conservation, sustainable management of forests, (REDD+) in Kenya.

NGEC facilitated the Ministry of Environment and Forestry (MOEF) through UNDP to develop the National Climate Change Learning Strategy. The Commission was part of the technical team responsible for assessing the learning needs and priorities and institutional capacities to implement the National Climate Change Learning Strategy. The Commission has supported the MOEF field virtual focus group discussions on the learning needs of various agencies and institutional capacities of agencies with the greatest responsibility in mitigating climate change-related shocks. On 17th December 2020, the Commission participated and contributed to the validation process of the report on learning needs and capacity assessment for the Climate Change Learning Strategy in Kenya.

### **2.1.10 Standards and Mechanisms for Monitoring Implementation of International and Regional Commitments**

In line with section 8 (c) of the National Gender and Equality Commission Act, no.15 of 2011 the Commission facilitated the development of the following tools to support the institutionalization of a standard and comprehensive mechanism for monitoring compliance of the State with Concluding observations and recommendations issued to Kenya by various committees of the International and Regional Instruments:

#### **a) Scorecard for the Evaluation of Progress made by the State in the implementation of the Protocol to the African Charter on Human and Peoples' Rights On the Rights of Women in Africa (Maputo Protocol)**

During the period under review, the Commission finalized the scorecard for the evaluation of progress made by the State in the implementation of the protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). The Scorecard will be used as a performance management tool in the assessment of Kenya's enactment, enforcement and implementation of the Maputo Protocol. The tool will aid in the biennial reporting of Kenya to the African Union's Committee on the Protocol of the African Charter on Human and Peoples Rights on the Rights of Women in Africa. The tool covers all the articles within the protocol. The tool was developed through a consultative process and validated by stakeholders drawn from both the Government and Civil Society Organizations. The scorecard will be launched in the Financial Year 2021/2022.

#### **b) Tool for Assessing Compliance with Concluding Observations and Recommendations issued to the Government of Kenya under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), and The Convention on the Rights of Persons with Disabilities (CRPD)**

The Commission finalized and published the monitoring tool for assessing compliance with concluding observations and recommendations issued to the Government of Kenya under

CEDAW, CRC, and CRPD. The tool is an accountability instrument for monitoring and reporting on steps taken by the State to promote and protect the rights of women, children and persons with disabilities based on all conclusions, recommendations and feedback issued to Kenya by the Human Rights Treaty Committees (HRTCs). The tool will be used by NGENC and its stakeholders including communities and networks to review progress made by Kenya in the implementation of concluding observations and recommendations issued specifically by the Committee on the Elimination of Discrimination against Women, Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities.

The monitoring tool (scorecard) is simplified into an illustrative colour scheme that is easy to apply, interpret and present results. The scorecard was developed through a consultative process bringing together relevant ministries, departments and agencies, county governments, civil society organizations; Independent Offices and Constitutional Commissions (IO&CCs), select UN agencies and development partners. The tool will be launched in the 2021/2022 Financial Year.

### **Investigations, Audits and Redress**

Function 8 (f) of the National Gender and Equality Commission Act, 2011 mandates the Commission to investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned. Under this function and theme, the Commission achieved the following;

## **2.2 Development and Operationalization of Complaints Handling System**

### ***a) The National Gender and Equality Commission Complaints Handling Practice and Procedure Regulations, 2020.***

During the year under review, the Commission continued with the process of finalizing the development of the National Gender and Equality Commission Complaints Handling Practice and Procedure Regulations, 2020. The regulations were exposed to public participation through engaging stakeholders through physical and virtual activities. The first stage of public participation was conducted via zoom webinar on the 7<sup>th</sup> of August 2020 and on the 8<sup>th</sup> of August 2020. During the sessions, no fundamental changes were proposed to the regulations. The regulations were validated and adopted on 22<sup>nd</sup> February 2021 by more than 200 stakeholders drawn from all over the Country. Further, the regulations were also tabled before the Committee on Delegated legislation for pre-publication scrutiny and approval. The Commission received some feedback from the Committee for Consideration. The regulations will be finalized and gazetted in the Financial Year 2021/2022.

Once finalized the regulations will enable the Commission to exercise its powers and functions drawn from Article 252 of the Constitution and Sections 26 and 27 of its Constitutive Act. More specifically, the regulations shall enable the Commission to receive, process and handle complaints relating to gender equality and freedom from discrimination. This power and function also promote the provisions of the Constitution of Kenya under Articles 22, 47 and 48 on the enforcement of the Bill of Rights, fair administrative action, and access to justice that is affordable, fair and just to all Kenyans.

Before the establishment of NGEK complaints handling mechanisms, all matters of violation of the rights to equality and freedom from discrimination were mainly referred to Judiciary. The latter is expensive and indeed at times, inaccessible to many Kenyans, especially the SIGs.

#### **a) Commission contributions to the Victims Protection Board**

The Commission is a member of the Victims Protection Board (VPB) which is established under section 31 of the Victims Protection Act No. 17 of 2014. The objectives of the VPB are to: Provide for the protection of victims of crime and abuse of power,

1. Provide them with better information and support services to provide for reparation and compensation to victims;
2. Provide special protection for vulnerable victims

The Board is required to the realization of the objectives of the protection of Victims by Advising the government on inter-agency activities aimed at protecting victims of crime and the implementation of preventive, protective and rehabilitative programs for victims of crime. The Commission seats in the Board as a representative of the special interest groups who, due to their different vulnerabilities fall victims of crime and are unable to access justice and fair protection and benefit of the law. The other members of the board are representatives of the Witness Protection Agency, the Attorney General, the ministry responsible for correctional services, the ministry responsible for matters children, the Office of the Director of Public Prosecutions, two representatives of civil societies dealing with issues of children and women.

During the reporting period, the Commission together with the rest of the Board members put into place the Victims Protection General Regulations and the Victims Protection Trust Fund regulations 2021. The General regulations are aimed at operationalizing the Act while the Trust fund is aimed at operationalizing the Trust Fund established under section 27 of the Act for purposes of compensation and reparation of victims.

The regulations are meant to facilitate the operationalization of the functions of the Victims Protection Board and the Victims Trust Fund established under the Victims Protection Board. The regulations once approved by Parliament will be instrumental in affording access to justice, reparation and compensation to Special Interest Groups who are victims of offences and abuse of power. The Act in general offers a legal framework for equality of parties in the justice sector under Article 50(9) of the Constitution. It ensures among others that vulnerable victims of crime are afforded legal aid representation, psychosocial, medical services among other services necessary to ensure access to justice and equal protection and enjoyment of the law.

##### **1.1.1 Rapid Assessment on Violence against Children**

During the reporting period, the Commission conducted several rapid assessments following reported allegations of violence against children. The objectives of the investigations were to establish the status of the cases, to provide legal support to the survivors and to enhance collaborations and referral systems for the said cases. The Commission also ensured that the cases were brought to public attention, and acted on as a deterrent to interference with the trial process and ensured the rights of the perpetrator and victim were protected while ensuring the best interests of the child is preserved as per article 54 (2) of the Constitution of Kenya, 2010.

Some of the rapid assessments included investigations following a complaint from Nakuru County reported to the *Policare*, National Police Service regarding an ongoing criminal prosecution of an alleged sexual defilement case of a minor by a prominent personality within Nakuru County. The Commission responded to this matter on 9<sup>th</sup> September 2020. The case having been investigated and with DNA evidence on record failed to proceed due to technical litigation challenges employed by the accused in their attempts to frustrate the trial process. The Commission has raised the issue with the Witness Protection Agency, the ODPP, and the Victims Protection Board (VPB). The Agencies offered to provide support for the victim whereas the office of the ODPP undertook through the head of the Rift Valley DPP will follow up with the matter.

Other matters include violations reported in Limuru following public outcry on the media on alleged defilement of a minor on their way to school, alleged defilement in Kyevaluki Sub- County, Machakos County, and alleged impregnation of a child in Nyandarua by a former politician. The Commission will continue to follow on these cases during the 2021/2022 Financial Year.

### **2.2.2 Assessment on the Welfare of Older Members of Society**

The Commission conducted an assessment of the welfare of older persons during the COVID-19 pandemic. This was conducted in Machakos, Kiambu, Kajiado and Nakuru Makueni, Garissa, Kisumu, and Kilifi Counties. The objectives of the study were to assess the impact of COVID-19 on the welfare of older persons and document good practices and strategies for addressing the challenges facing older members of society during emergencies. The study revealed that older members of the society have been impacted negatively by the pandemic and the majority were living in deplorable conditions and without adequate family support. In the Financial Year 2020/2021, the Commission will use the study findings to coordinate national discussions with duty bearers and stakeholders with the greatest responsibility on promoting the rights of older members of society.

### **2.2.3 Rapid Assessment on Plight of the Shona community in Kenya**

The Commission conducted a rapid assessment on the status of the Shona Community living in Kiambu and Kajiado Counties. This was informed by media reports on the plight of the Shona population in Kenya. The objective of the assessment was to verify the media reports and establish working relations with the community. Some of the challenges identified by the assessment include: Lack of identification documents which limited their participation in social and economic aspects of the society; constant harassment, arrest and prosecution due to lack of identification documents; denial of the right to own property including land – the community members live in rented houses; Loss of property when in police custody; low levels of education due to lack of resources and lack of vital documents for examination registration; and inability to travel outside the country due to lack of vital travel documents. The Shona Community were granted citizenship under the laws of Kenya on December 12, 2020. The landmark decisions mean that as Kenyan citizens they are equal before the law and have the right to equality, right to own property, language, culture, marriage among others.

### **2.2.4 Processing of Complaints on Equality and Inclusion**

During the period under review, the Commission received and processed **67 complaints** on the violation of the principles of gender equality and freedom from discrimination. This shows a decrease of 26% compared to the previous year 2019/2020. This has been attributed to the COVID-19 pandemic which drastically reduced the number of complaints



filed through the walk-in method at the Commission or other investigating organs.

Further, the use of the online complaints management system is still low among SIGs due to low technological know-how and poor ICT network infrastructure in the areas where they reside. Complaints received during the period vary in nature and type and include; complaints on Cash Transfer for the elderly, assault, property dispossession discrimination, and land dispute, intimidation, defilement, separation, and eviction, marital conflicts, colluding to blackmail assault, and threats among others.

The cases were referred to the relevant actors while others were processed by Commission and complainants were advised accordingly. Table 2 presents a summary of the complaints received and processed by the Commission during the reporting period.

**Table 2: Complaints Received, Processed and/or Referred by the Commission, 2020-2021**

S/N	Ref No	Gender and other Category	Summary of Complaint	Status As Of June 2021
	NGEC/26/2020	Male	Jobseeker	File closed
	NGEC/27/2020	Male youth	Jobseeker	File closed
	NGEC/28/2020	Male	Civil matter in court	File closed
	NGEC/29/2020	Female	Matrimonial dispute	Matter referred
	NGEC/30/2020	Male	Alleged employment dispute	Matter referred
	NGEC/31/2020	Female	Child maintenance	Matter referred
	NGEC/32/2020	Female	Alleged employment dispute	Matter referred
	NGEC/33/2020	Female	Jobseeker	File closed
	NGEC/34/2020	Female	Enquiry regarding a land dispute	File closed
	NGEC/35/2020	Female	Alleged election dispute	Matter ongoing
	NGEC/36/2020	Female	Alleged domestic violence	Matter ongoing
	NGEC/37/2020	Female	Alleged employment dispute	File closed
	NGEC/1/2021	Male	Illegal resolution of rape case	Matter ongoing
	NGEC/2/2021	Male	Alleged land dispute	Matter referred

**Table 2: Complaints Received, Processed and/or Referred by the Commission, 2020-2021**

	NGEC/4/2021	Male	Alleged employment dispute	Matter referred
	NGEC/5/2021	Female	Enquiry regarding financial assistance	Matter ongoing
	NGEC/6/2021	Female	Alleged discrimination of female court litigants	Ongoing public education
	NGEC/7/2021	Female	Alleged delay in payment	Matter resolved
	NGEC/8/2021	Male	Alleged delay in payment	Matter resolved
	NGEC/9/2021	Male	Alleged delay in payment	Matter resolved
	NGEC/10/2021	Male	Alleged delay in payment	Matter resolved
	NGEC/11/2021	Female	Alleged discrimination on basis of gender	Matter ongoing
	NGEC/12/2021	Male	Alleged unfair treatment	Matter ongoing
	NGEC/13/2021	Male	Alleged land dispute	Matter referred
	NGEC/14/2021	Female	Alleged death threats	Matter referred
	NGEC/15/2021	Female	Alleged disability discrimination	Matter ongoing
	NGEC/16/2021	Male	Alleged employment discrimination	Matter ongoing
	NGEC/16/2021	Female	Alleged defilement and threat to life	Matter ongoing
	NGEC/17/2021	Elderly woman	Alleged discrimination	File closed
	NGEC/18/2021	Female	Alleged land dispute	Matter referred
	NGEC/19/2021	Female	Alleged defilement	Matter referred
	NGEC/20/2021	Male	Alleged land dispute	Matter referred
	NGEC/21/2021	Male	Alleged employment dispute	File closed
	NGEC/22/2021	Female	Matrimonial dispute	Matter referred

**Table 2: Complaints Received, Processed and/or Referred by the Commission, 2020-2021**

	NGEC/23/2021	Female	Matrimonial dispute	Matter referred
	NGEC/24/2021	Elderly Man	Cash transfer for elderly	Matter referred
	NGEC/25/2021	Male	Delay in processing pension	Matter referred
	NGEC/26/2021	Youth Female	Alleged defilement	Matter referred
	NGEC/27/2021	Female	Alleged rape	File closed
	NGEC/28/2021	Female Youth	Alleged Sexual gender-based violence	Matter ongoing
	NGEC/29/2021	Female	Child maintenance	Matter resolved
	NGEC/30/2021	Female	Child maintenance	Matter referred
	NGEC/32/2021	Male	Alleged domestic violence	Matter referred
	NGEC/31/2021	Female	Alleged domestic violence	Matter referred
	NGEC/33/2021	Male	Alleged land dispute	Matter referred
	NGEC/34/2021	Female Youth	Alleged discrimination	Matter resolved
	NGEC/35/2021	Female	Alleged discrimination	Matter ongoing
	NGEC/36/2021	Female	Alleged assault	Matter referred
	NGEC/37/2021	Female	Alleged rape	Matter referred
	NGEC/38/2021	Female	Alleged Sexual gender-based violence	Matter ongoing
	NGEC/39/2021	Female	Alleged rape	Matter referred
	NGEC/40/2021	Female	Alleged sexual gender-based violence	File closed
	NGEC/41/2021	Male	Matter alleging maladministration	Matter referred
	NGEC/42/2021	Male	Enquiry regarding work	File closed

**Table 2: Complaints Received, Processed and/or Referred by the Commission, 2020-2021**

	NGEC/43/2021	Male	Alleged discrimination on the allocation of customary land in Turkana	Matter ongoing
	NGEC/44/2021	Male	Unlawful termination	Matter closed
	NGEC/45/2021	Female	Alleged intimidation of a caregiver to a disabled person and discrimination of the disabled person	Matter ongoing
	NGEC/46/2021	Female	Alleged defilement	Matter referred
	NGEC/47/2021	Female	Alleged Domestic Violence	Matter referred

### 2.2.5 Public Interest Litigation and Alternative Dispute Resolution Mechanisms

During the period under review, the Commission pursued the following two court cases related to the violation of the principles of gender equality and freedom from discrimination.

- i. HCR Petition No. 147 of 2020-Victor Lodenyo Adagula -v- Kenya Revenue Authority:
- ii. This is a case where the Commission was enjoined as an Interested Party. The matter seeks to dissolve the Board of Management of KRA due to violation of the not-more than two-thirds gender rule in the composition of the Board. The Commission filed its papers on 23rd December 2020 and the outcomes are still pending.
- iii. SO19/2020 Defilement case: The Matter was referred to the Commission by the POLICARE section of the National Police Service. The matter involves an alleged case of defilement by a medical doctor. The matter was coming up for taking plea by the accused and his bail application on 28th December 2020. The Commission urged for strong bail terms given the profession of the accused and his alleged attempts to interfere with the case. The accused was released on a Bond of KSH. 300,000 with two sureties or alternative of a cash Bail of Ksh. 100,000 with two sureties depositing their National Identity Cards travel documents and their contact details with the Police and Judiciary.

Further, the Commission assessed compliance of the Nakuru County Assembly and Kisii County Assembly with the judgement of Petition 1 of 2019 NGEC -V- Majority Leader, County Assembly of Nakuru and 4 Others; Jubilee Party and Another (Interested Parties) and Petition No. 1 of 2019- Hon. Karen Nyamaita Magara & 14 Others -v- Kisii County Assembly Service Board and 2 others respectively. The judgment stated that they both had equal opportunities, responsibilities and privileges including opportunities for leadership positions in the county assembly committees. The activity was carried out on 3<sup>rd</sup> September 2020 in Kisii County and on 10<sup>th</sup> September 2020 in Nakuru County.

Specifically, the Commission sought to evaluate the challenges county assemblies faced in complying with the Constitutional provision of the not more than two-thirds gender principle and whether the nominated members of the county assembly were given

resources for office space, office operations and office support staff. The Commission noted that the County Assemblies had developed offices for the nominated members but were in the process of completing them. It was further noted that the nominated members were receiving allowances to run and support their offices and that they had been incorporated in county assembly committees.

### 2.3 Public Education and Mainstreaming Equality and Inclusion

Section 8(d) of the National Gender and Equality Commission Act, 2011 mandates the Commission to coordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof. Further Section 8(h) mandates the Commission to coordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination. In fulfilment of its coordination mandate on issues affecting Special Interest Groups, the Commission facilitated and coordinated 3 stakeholder's forums to deliberate on the emerging issues.

#### 2.3.1 Child Pregnancies in the Context of COVID-19 Pandemic

On 24th July 2020, the Commission coordinated a high-level consultative meeting on Child Pregnancies in the context of the COVID-19 pandemic in Kenya. The objective of the forum was to facilitate discussions among the duty bearers of the reported increased cases of child pregnancy during times of COVID-19. This was necessitated by the increase in numbers of child pregnancies during the first months of the COVID-19 pandemic occasioned by measures put in place to stop the spread of disease. The meeting brought together 269 stakeholders from international agencies, State and non-State actors including Universities, Community-Based organizations, Faith-Based organizations, child rights advocates, health practitioners, parents, media, academia and researchers. The meeting recommended key strategies for ending the pandemic of child pregnancies among others the strengthening of formal and community-based protection systems such as children services, the justice sector and social welfare services. It called for multi-sectoral engagement and comprehensive and harmonised response plans towards child pregnancies as well as the development of a National Strategy for Ending Child Pregnancies in Kenya. The Commission has initiated discussions with key stakeholders to facilitate the development of the strategy in the Financial Year 2021/2022.

The report consolidating the thoughts and discussions of State and non-State actors on the rising cases of child pregnancies in Kenya with a focus on times of COVID-19 pandemic. "*Child Pregnancies in the context of Covid-19 pandemic in Kenya Report of the Multi-Stakeholders Virtual Consultative Meeting held on 24th July 2020*" has been finalized and will be published and launched in the Financial Year 2021/2022

#### 2.3.2 Youth Engagement and Opportunities in the Context of COVID-19 Pandemic

On 24<sup>th</sup> August 2020, the Commission held a high-level consultative meeting with select Ministries, Counties, Departments and Agencies (MCDAs), Youth leaders, members of the private sector and entrepreneurs to discuss opportunities available for greater and meaningful engagement of the youth in development agenda. The forum under the theme "***Engagement of youth in the development agenda during and after COVID-19***" was aimed at facilitating youth and the duty bearers to discuss the meaningful participation and engagement of youth in the county and National development; facilitating public education on opportunities available for youth both at the national and County

Levels and draw strategies for ensuring the meaningful engagement of youth in national development.

The forum complimented discussions and celebrations of the International Youth Day which was commemorated on the 12th of August 2020. The meeting presented to the stakeholders the existing legislative interventions that promote greater youth engagement; legislative proposals to ensure adequate and appropriate youth representation and ongoing programmatic interventions and opportunities for youth in the counties.

Some of the recommendations from the meeting included expanding the internship program by supporting entities that offer an internship to students, revision of the funding model of the Youth Enterprise Development Fund and delivery of public education to youth on opportunities available for youth both at the national and county levels. The forum brought together 269 participants majority of whom were youth.

### **2.3.3 Expert Forum: Land and Natural Resource Management among Minority and Marginalized Groups in Kenya**

The Commission coordinated an expert consultative forum on land and natural resource management among minority and marginalized groups in Kenya. The objective of the forum was to discuss the rights and obligations of minority and marginalized groups in, access, use, control and ownership of land and natural resources. The forum was designed to ignite a conversation among experts in land, environment and natural resources with a focus on rights and obligations of minority and marginalized groups in Kenya. The meeting took stock of the progress made in addressing the historical and contemporary injustices on land and access to natural resources and documented the good lessons and proven practices that duty bearers, development partners and communities can consider to accelerate the realization of rights of minority and marginalized groups. The forum brought together 178 land, conservation, environment and natural resource management experts, key government officials, representatives of CSOs, the academia, development partners and community representatives drawn from minority and marginalized communities. The forum was held on 29th September 2021. The report of the forum is ready and will be published and launched in Financial Year 2021/2022.

### **2.3.4 Coordination Meetings**

To enhance coordination and mainstreaming of the issues of special interest groups, the Commission held thematic-based coordination meetings bringing together stakeholders to discuss emerging and priority issues touching on women, youth, children, PWDs, Older members of society and minority and marginalized groups both at the national and county government levels. The meetings brought together critical actors (national, county, private, academia, non-state actors, media and researchers), to discuss emerging and priority issues around equality and inclusion.

Further, the Commission facilitates monthly/quarterly coordination equality and inclusion technical working groups meetings which provides a platform where issues affecting the SIGs are discussed and interventions defined at the county level. During the reporting period, the Commission discussed emerging issues such as the COVID-19 pandemic and its effects on SIGs, the inclusion of SIGs in the Constitutional reforms agenda amongst others. Some of the deliberations include; increase in sex and gender-based violence, uptake of COVID-19 messages by SIGs, the economic stimulus package for SIGs during times of pandemic. Table 3 in the annex summarizes the distribution of coordination meetings held by key agenda, and theme

### **2.3.5 Strengthening of Equality and Inclusion Technical Working Groups**

During the period under review, the Commission in collaboration with Reinvent



programme and Humanity Inclusion strengthened the capacity and management of twelve (12) Equality and Inclusion Technical Working Groups (E&ITWGs) in Kilifi, Wajir, Vihiga, Isiolo, Nyandarua, Bungoma, Kisumu, Kitui, Nakuru, Tana River, Turkana and Taita Taveta Counties to comprehensively address issues of equality, freedom from discrimination and inclusion for SIGs, including women, youth, persons with disability (PWDs), children, older members of society, minority and marginalized groups. During the forums, the guidelines for management and establishment of the EITWGs have been shared as well as the opportunities available for counties to strengthening coordination of issues affecting SIGs. Various programmes were also rolled out as part of enhancing referral and coordination of matters related to gender-based violence.



**GARISSA COUNTY: The Commission Secretary, Betty Sungura-Nyabuto, MBS leads NGECC team in disseminating the findings of the report on the mapping of ethnic minorities and marginalized communities.**

### **2.3. 6 Prevention, Response and Management of Gender-Based Violence**

The Commission with support from Tetra-Tech International, Reinvent Programme developed Education materials (fact-sheets) to leverage on various socializing agents such as the family, media, schools, religion, religious leaders and institutions, workplace, the council of elders, peer groups, artists, musician as a socializing agent to mitigate violence against women and girls (VAWG), and other vulnerable groups. The materials will be published and disseminated during the Financial Year 2021/2022.

Further, the Commission facilitated the launch of the Nairobi Policare Pilot Model, the dissemination of the Policare Concept in more than 14 Counties, development of key guiding documents including the Policare Policy, Standard Operating Procedures(SOPs) and the Policare Strategy of the National Police Service Integrated Response to Gender-Based Violence branded Policare ( a One-Stop Centre that ensures that victims/survivors of GBV access full spectrum of services including examination, counselling, medical, legal and referral from one space). The establishment of Policare centres in all the 47 Counties in Kenya is one of the commitments given by H.E President of Kenya, Uhuru Kenyatta during the generation Equality forum meeting held in Paris, France in June this year on ending all forms of GBV and scaling up the Policare by 2026 among other commitments.



The launch of the key strategy documents is scheduled for the Financial Year 2021/2022.



**Chairperson Dr. Joyce Mutinda and Commissioner Hon. Priscilla Nyokabi Kanyua welcome the First Lady Margaret Kenyatta during the launch of the National Police Policare Center in Nairobi**

Jointly with Nakuru Gender Technical Working Group, the Commission facilitated and coordinated the formation and launch of the Subukia sub-county GBV cluster on 14th December 2020. The objective of the cluster is to enhance coordination on reporting and follow-up on GBV issues in the sub-county

### **2.3.7 Equality, Inclusion and Freedom from Discrimination: Mental health**

In collaboration with Health Advocacy Forum (HERAF) and Open Society Initiative for Eastern Africa (OSIEA), the Commission facilitated a high-level policy consultative meeting on sustainable financing of mental health services in Kenya. This was in recognition that Mental health is a key determinant of overall health and influences a variety of outcomes for individuals and communities including lifestyles, ability to handle depression and stress, ability to recover from illness, social cohesion and general public happiness and the effects of the global COVID-19 pandemic on overall mental health majority of whom are special interest groups.

The meeting brought together key stakeholders from diverse backgrounds to share experiences and to identify scalable lessons on sustainable financing for mental health systems in Kenya. A total of 248 stakeholders were reached during the meeting. During the forum commitments towards the enactment of the Mental Health-related laws, review

of existing policies and laws to include provisions on mental wellbeing and increased budget allocation for mental health services were made.

### 2.3.8 Public Education Program

The Commission coordinated and held an interactive dialogue forum with rural women in Nguni, Mwingi East Sub-County, Kitui County. During the forum, women were sensitized to the opportunities available for greater engagement in National and County development. In addition, the women discussed some of the solutions and good practices towards women empowerment during and after the post-COVID-19 period. The Commission further engaged groups of women and persons with disabilities from the County to monitor the implementation of affirmative action funds in the area. It was noted that women lack information on available opportunities and tax exemption for them as individuals and their businesses creating a greater rift in the pathway to women empowerment.

The Commission in collaboration with Humanity Inclusion under the EU funded project Commission facilitated dialogue forums with male opinion leaders in 5 Counties: Vihiga, Kilifi, Wajir, Nyandarua, Isiolo Samburu, West Pokot, Laikipia, Tharaka Nithi, Turkana. The objective of the dialogue forum was to get commitments from male opinion leaders to be champions for gender equality and women empowerment both at the County and National level through transforming social and gender norms that reinforce patriarchy and inequality. In total, the Commission reached out to 550 male opinion leaders. The activity sought to challenge conceptions of masculinity by engaging male champions to support the change of attitudes towards women and girls and particularly towards those who are most vulnerable.



**NGEC Officers pose for a photo during a courtesy visit to the Office of the Governor of Wajir County**

The Commission coordinated and facilitated public education forums in 4 Counties (Narok, Nakuru, Nyeri and Laikipia) on the rights of SIGs during emergencies especially during the COVID-19 pandemic. Some of the measures put in place albeit aimed at controlling the spread of the Covid-19 pandemic limited the exercise of some rights by SIGs. For example, movement restrictions to the Public Order Act, 2020 limiting movements between 4 am to 10:00 pm would limit access to medical and reproductive health rights. The forums brought

together right holders and duty bearers to discuss measures the Government can put to ensure the promotion and protection of the rights of SIGs during times of emergencies. The SIGs were also taken through a session on their rights and responsibilities as provided for in the Constitution of Kenya. The activity was held between 20<sup>th</sup> June to 26<sup>th</sup> June 2021

Further, the Commission facilitated Public Education forums in five (5) counties to raise awareness among special interest groups on detecting and reporting violations on right to equality and freedom from discrimination through the NGEC online-enabled complaints management system and rights of SIGs during emergencies. The forums covered Busia, Kakamega, Trans Nzoia, and Homabay Counties. The online-enabled complaints management system is yet to be embraced by the SIGs due to challenges with the uptake of technology and poor internet infrastructure in the areas they reside.

The Commission through the Garissa Regional Office in collaboration with other stakeholders facilitated the public education forum on a Programme '*Know your rights campaign*' for Persons living with HIV (PLHIVs) including young adults. The objective of the forum was to inform the public on the forms of violence, punitive laws affecting HIV services, PLHIVs rights to health services, the role of police in HIV mitigation, and the role of paralegals and other human rights watch in fighting HIV stigma. The Commission also participated and contributed to a two-day workshop on National Widows Economic Empowerment organized by the Unclaimed Assets Authority (UFAA). The program was designed as part of the Corporate Social Responsibility (CSR) directed to benefit widows. The Commission ensured the integration of the principles of equality and inclusion in the design of the program.

## 2.4 Research and Knowledge Management

### 1.1.1 Monitoring Prevention and Response to Sexual and Gender-Based Violence in Kenya

The Commission continued to facilitate the review process of the first edition (2014) of the national monitoring and evaluation framework towards prevention and response to SGBV. In collaboration with Equality Now, the Commission facilitated a two-day stakeholder's workshop from 10<sup>th</sup> -11<sup>th</sup> December 2020, in Naivasha, Nakuru County. The objective of the forum was to review and give sector-specific inputs to the 2nd Edition of the National Monitoring and Evaluation Framework towards Prevention and Response to Gender-Based Violence in Kenya. Participants were drawn from both state and non-state actors with greater responsibility in the prevention and response to GBV.

Further, the Commission coordinated stakeholders involved in the generation and of Sexual and Gender-Based Violence data and information to identify opportunities for and constraints to effective and strategic data collection, analysis, availability, and use. Some of the stakeholders include the National Police Service (NPS), the Judiciary, Office of the Director of Public Prosecution (ODPP), Department of Early Learning and Basic Education.

Once completed, the framework will provide indicators that will inform the process of redesigning and developing an expanded Gender-Based Violence Information System (GBVIS) for access and use by the public. The GBVIS will enhance public awareness on the status of GBV in Kenya, provide evidence-based reporting on GBV, and inform policy and programme decisions besides influencing advocacy and resource mobilization strategies towards response to GBV.



### **2.4.2 Assessment on the Uptake of Green Energy among SIGS (The Green Energy Project)**

In 2019/2020, the Commission received funding from the National Government for a project to assess the uptake of selected forms of green energy by SIGs in Kenya. The project is premised on the fact that Kenya has invested heavily in green energy production and distribution and has made major policy, regulatory and institutional reforms to enhance access to clean energy and to promote investments in renewable energy. The SIGS are most marginalized in the energy sector and use expensive and dirty hazardous energy. The research project is currently in phase two. The Commission trained 78 staff members on research methods, data collection tools and processes for the national assessment on the uptake of green energy in Kenya. In addition, the Commission undertook a pilot study of the assessment data collection methods and tools to test their validity and reliability. The Commission also commenced the initial data collection in four counties: Kajiado, Kiambu, Machakos and Murang'a. In the Financial Year 2021/2022, the Commission will analyze the pilot data and gather additional data from at least three other counties and prepare a report on the findings. The report of the study is expected to inform policy and programmatic interventions to increase the access and uptake of green energy among special interest groups.

### **2.4.3 Collection of Data on Child and Teen Pregnancies**

In collaboration with the Ministry of Interior and National Coordination, the Commission gathered data on child/teen pregnancies in 39 counties. The data will inform policies and interventions aimed at addressing the rising numbers of child pregnancies in the country. The data shall be considered by a Technical Committee formed by the State Department for Gender to formulate strategies for reducing child pregnancies and abuse in Kenya. NGENC is a member of this TWG

### **2.4.4 Sex, Age, Disability and Gender Disaggregated Data**

As a member of the technical committee responsible for generating gender-disaggregated data to inform engendered COVID-19 programs, the Commission facilitated the conceptualization, design, execution, analysis, development of the study report and launch of the Assessment of Effects of Covid-19 Pandemic on Women and Girls in Kenya, 2020. The study was conducted by among other agencies NGENC, State Department for Gender, KIPPRA in collaboration with UN Women, UNICEF and OXFAM. The report shall inform gender-based management strategy of the second wave of COVID-19 and post COVID-19 recovery strategies at national and county levels.

In addition, the Commission facilitated the Kenya National Bureau of Statistics and the UN Women in the development and launch of the Gender Sector Statistics Plan 2019-2023. The plan was developed to inform the country of the strategic processes for planning, generating and using gender statistics to inform programs and policies.

As a member of the Inter-Agency Gender Statistics Committee, the Commission contributed to the development of a draft gender dimensions' monograph derived from the further analysis of the 2019 Kenya Population and Housing Census (KPHC). The main objective of the monographs is to unmask gender dimensions in the analysis of the selected topical issues including fertility, mortality, migration, marriage, households and families, education and literacy, labour force participation, disability, and Information, Communication and Technology. The gender dimension monograph is expected to evaluate the relative differences among women, men, girls and boys to uncover the personal achievements and their access to services; carry out multivariate analysis to

capture relations that may not be visible when using sex-disaggregated data only, generate appropriate indicators for sensitizing stakeholders on the need and importance of sex-disaggregated data for policy formulation and decision making, and identify areas in which new data need to be collected to fully grasp elements of gender inequality

The Commission also contributed to the validation process of the 2021 Economic Survey developed by the Kenya National Bureau of Statistics. The Commission is keen to ensure gender dimensions in all economic sectors are documented.

As a member of the steering committee and technical committee for the design and implementation of the 2021 Kenya Demographic Health Survey convened by the Kenya National Bureau of Statistics, the Commission contributed to the content of the survey tools and survey processes. The Commission has been chairing the gender sub-group thematic team involved in ensuring SDG gender-related indicators are considered and measured in the 2021 KDHS

#### **2.4.5. Internal Monitoring System of Commission Interventions**

The Commission endeavours to ensure equality and inclusion of all Counties and areas during the implementation of its intervention and activities. This deliberate measure ensures that far and hard-to-reach areas benefit from the Commission's intervention relative to their needs and that all areas receive services of the Commission as per Article 6(2) of the Constitution of Kenya. The internal program monitoring framework informs the spread and allocation of interventions across counties.

The frequency of interventions undertaken by the Commission by counties is summarized in Figure 1. Nairobi had the highest frequency of interventions followed by Kisumu, Kilifi, Nakuru and Garissa and respectively. This may have been attributed to the presence of the NGEK offices in these counties. Seven Counties (Kirinyaga, Uasin Gishu, Elgeyo Marakwet, Nandi, Baringo, Bomet, and Nyamira) did not directly receive any of the NGEK interventions. This was due to the COVID -19 pandemic as most of these counties were classified by the Ministry of Health as 'High-Risk COVID-19 counties'. Other reasons include a lack of financial resources.

During this Financial Year, the Commission ensured coverage of the Counties of Wajir, Mandera, Samburu, Trans-Nzoia, Kisii that in the last Financial Year 2019/2020 did not receive any direct interventions. This data shall be used to inform coverage of NGEK interventions in the counties during the Financial Year 2021/22

#### **2.4.6. Enhancing Communication Diversity.**

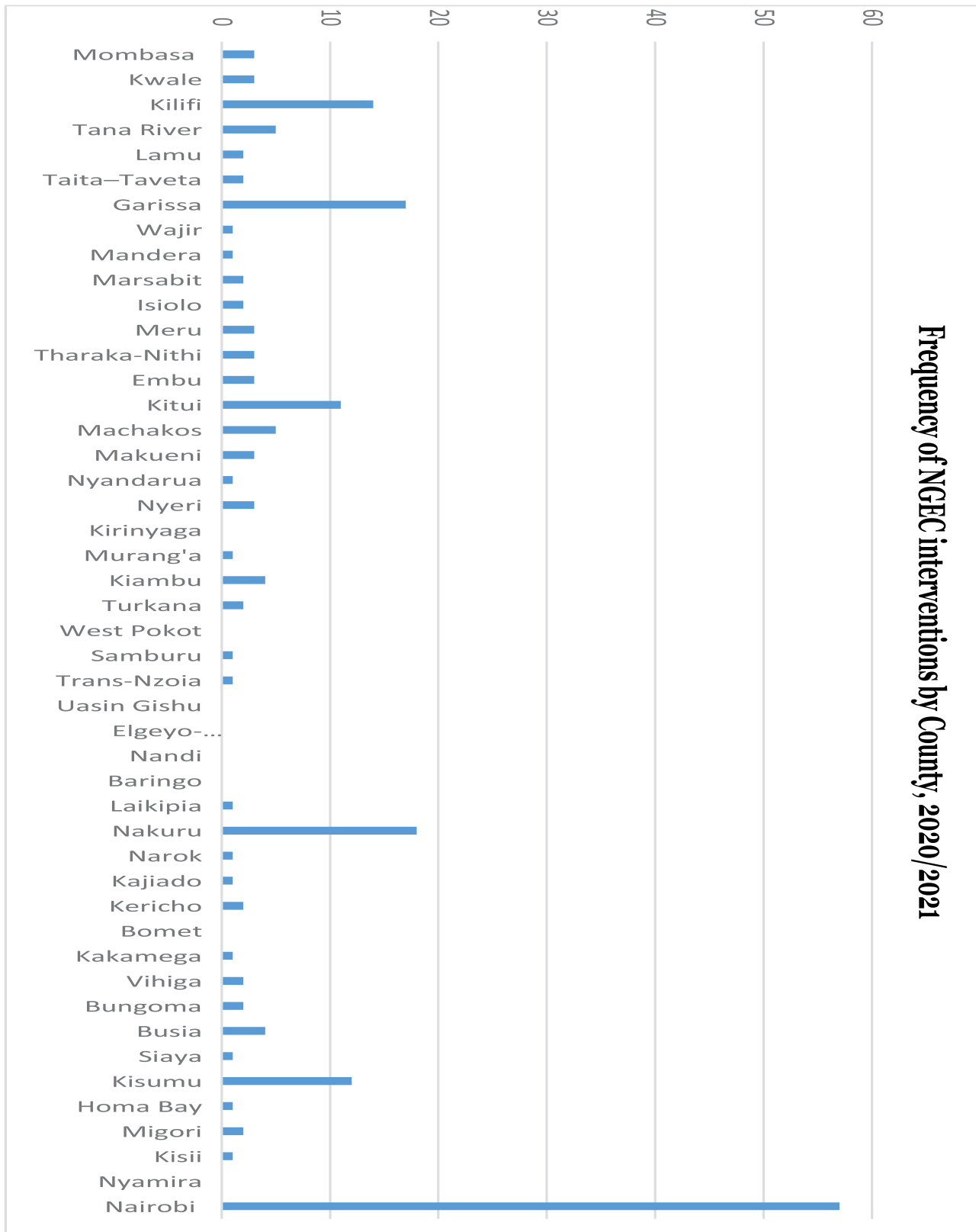
The Constitution of Kenya, 2010 article 54(1, d) states that a person with a disability is entitled to use sign language, Braille or other appropriate means of communication. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya including persons with visual impairment.

NGEK's programmatic interventions also target persons with visual impairment hence the need to produce Information, Education and Communication materials in Braille and translated them into sign language. During the year under review, the Commission with support from the International Development Law Organisation acquired a Braille Unit that includes a computer and a modern embosser. The unit will enhance the capacity to produce documents and information, education and communication materials to ensure the inclusion of SIGs in the dissemination of information.

## **2.5 Stakeholder Networks and Partnerships**

To expand its partnership base, the Commission held program and strategy based meetings with several partners including ID insight, Colleges Institutes Canada (CICAN), Tetra Tech, Collaborative Centre for Gender and Development, MasterCard Foundation, Publish What you Fund, The Abdul Latif Jameel Poverty Action Lab, Kenyatta University Poverty Innovation Action, Niko Green, towards forging common areas of partnership and collaboration. So far, the Commission has received draft memoranda of understanding and for some letters of commitment for consideration from ID insight, Tetra Tech, Collaborative Centre for Gender and Development, Publish What you Fund, The Abdul Latif Jameel Poverty Action Lab, Kenyatta University, and Poverty Innovation Action, Further, the Commission held meetings with representatives from the World Bank Group to discuss collaboration towards the development of a National Inclusive Development Framework for minority and marginalized groups and communities in Kenya.

**Figure 1: Distribution of the NGEIC Interventions by Counties.**



**Source: NGEIC, intervention tracking reports, 2021**



## CHAPTER THREE

### 3.0 Human Resource Management

#### 3.1 Recruitment

During the reporting period, the Commission undertook recruitment of Principal Human Resource Management Officer (PHRMO) and Senior Human Resource Management Officer (SHRMO). The two staff come to join the Commission in the Human Resource Department.

#### 3.1.1 Progress of the NGENC Staff Pension Scheme

During the reporting period, the scheme launched its identity logo. The scheme also contracted external auditor in readiness for the preparation of its first annual general meeting. The scheme in partnership with the sponsor held a member education session on Friday 2<sup>nd</sup> July 2021. The education session was facilitated by our service providers.

Despite economic hardships posed by the COVID-19 Challenges, NGENC-SPS is now standing at approximately Ksh.42.7 Million Kenya Shillings in investment and assets value. This is an indication that there is positive growth.

#### 3.2 Supply Chain Management

In the Financial year 2020-2021 the Commission's total expenditure on procurement of goods and services was Kshs. 65,213,110.52, out of which Kshs. 5,177,273.78, equivalent to 7.9 percent, was awarded to Youth, Women and Persons with Disabilities. The dismal performance on contracts awarded to Special Interest Groups was due to budget reduction by Ksh. 46 million.

#### 3.3 Public Communications

In the Financial Year 2020-2021, the Commission through the Division of Public Communications undertook strategic corporate and public communications interventions aimed at solidifying the Commission's mandate in the promotion of gender equality and non-discrimination. The interventions included:

##### 3.3.1 Dissemination of Policy Statements and Advisories

The Commission disseminated the following policy statements and advisories during the reporting period.

- a. Statement on International Day of Older Persons
- b. Statement on International Day for Rural Women
- c. Advisory statement to the Ministry of Agriculture, Livestock, Fisheries and Cooperatives over a discriminatory advertisement for fish crew training
- d. Statement on the International Day of Persons with Disabilities
- e. Statement to mark Zero Tolerance on Female Genital Mutilation
- f. Statement to mark the International Women's Day
- g. Advisory Statement to the Homeboyz Radio over breach of code of conduct for the practice of journalism
- h. Advisory Statement to the Judicial Service Commission on compliance with the two-thirds gender principle in the composition of the Supreme Court of Kenya Bench
- i. Statement on the Day of the African Child
- j. Statement on the World Elder Abuse Awareness Day

### 3.3.2 Public Education

#### a. Strengthening Equality and Inclusion of the Special Interest Groups in the National and County Governments Project

During the reporting period, the Division supported Public education forums to enhance the capacity of organizations and groups at the grassroots and county level to promote gender-sensitive governance and development in Kenya through a project implemented by the National Gender and Equality Commission in collaboration with Humanity Inclusion. The project targeted both State and non-State actors including members of civil society organizations, those of women with or without disabilities, disability people's organizations, State and non-State actors in 10 counties namely, Turkana Samburu, Vihiga, Kilifi, Wajir, West Pokot, Nyandarua, Tharaka Nithi, Laikipia, and Isiolo.

#### b. Uptake of Green Energy Solutions by Special Interest Groups

During the reporting period, the Commission rolled out a public education campaign to sensitize SIGs on available opportunities (access and efficiency) in green energy initiatives in Kenya. Under the Green Energy Project, the Commission sought to promote mainstreaming of Special Interest Groups issues in green energy policies and programs to ensure that projects achieve greater livelihood enhancements and contribute to their economic empowerment and increased participation in decision making. Through the Division of Public Communications, the Commission designed a media strategy that involved utilizing community radio stations as the Primary channel of dissemination for the commencement phase of the Green Energy Project.

#### c. Public Education on COVID-19 for SIGs

During the reporting period, the Commission joined the national and county government efforts towards stopping the spread of the Corona virus especially among vulnerable populations among them women, youth, children, persons with disabilities, older members of society, minorities and marginalized groups. The Commission executed a mass media campaign on National and Community radio stations urging Kenyans and SIGs, in particular, to adhere to the prescribed Covid protocols by the Ministry of Health.

### 3.3.3 Foreign Delegations on Learning Mission

Since the establishment of NGEC, Kenya is hailed at both regional and international levels by all human rights organs for establishing an independent framework for responding to equality, exclusion, and freedom from discrimination. Kenya has been a trendsetter in addressing gender equality via the NGEC institutional framework. In the Financial Year 2020-2022, the Commission received one delegation from the Geneva Center for Security & Governance on a learning mission to understand the intersection

### 3.3.4 Interdenominational Prayer Service

During the Special Commission meeting held on Monday, January 18 2021, the Commission considered and unanimously approved a proposal to establish an Annual Commission Interdenominational Prayer Service held in the month of January. On January 26 2021, the Commission held its inaugural interdenominational service which was held virtually in the wake of the COVID-19 pandemic attended by the Chairperson, Commissioners, Commission Secretary, all members of staff from the Headquarters and Regional Offices, all security officers seconded to the Commission. The service was presided over by Mr. Ambrose Nyang'ao -Senior Pastor, Parklands Baptist Church and Sheikh Abdirahman Shakul Kassim of Supreme Council of Kenya Muslims (SUPKEM) Garissa Branch

### **3.4 Information and Communication Technology**

During the year, the ICT Unit invested in software and tools to facilitate virtual meetings, conferences and supported training and remote working in line with COVID-19 guidelines. Increased web and social media presence ensured continued engagement with Special Interest Groups during the period.

### **3.5 Internal Audit**

The Public Finance Management Act, 2012 Section 73(1-5) and Public Finance Management Regulation, 2015 requires that each public entity maintain internal auditing arrangements and establish an audit committee. Guidelines for Audit Committee in National and State corporations outlines the operationalization of audit committees in the public sector.

The internal audit unit carried out assignments under the 2020/2021 Internal Audit Annual Work Plan and also special assignments are given from time to time by the Commission Secretary and Chair of the Commission.

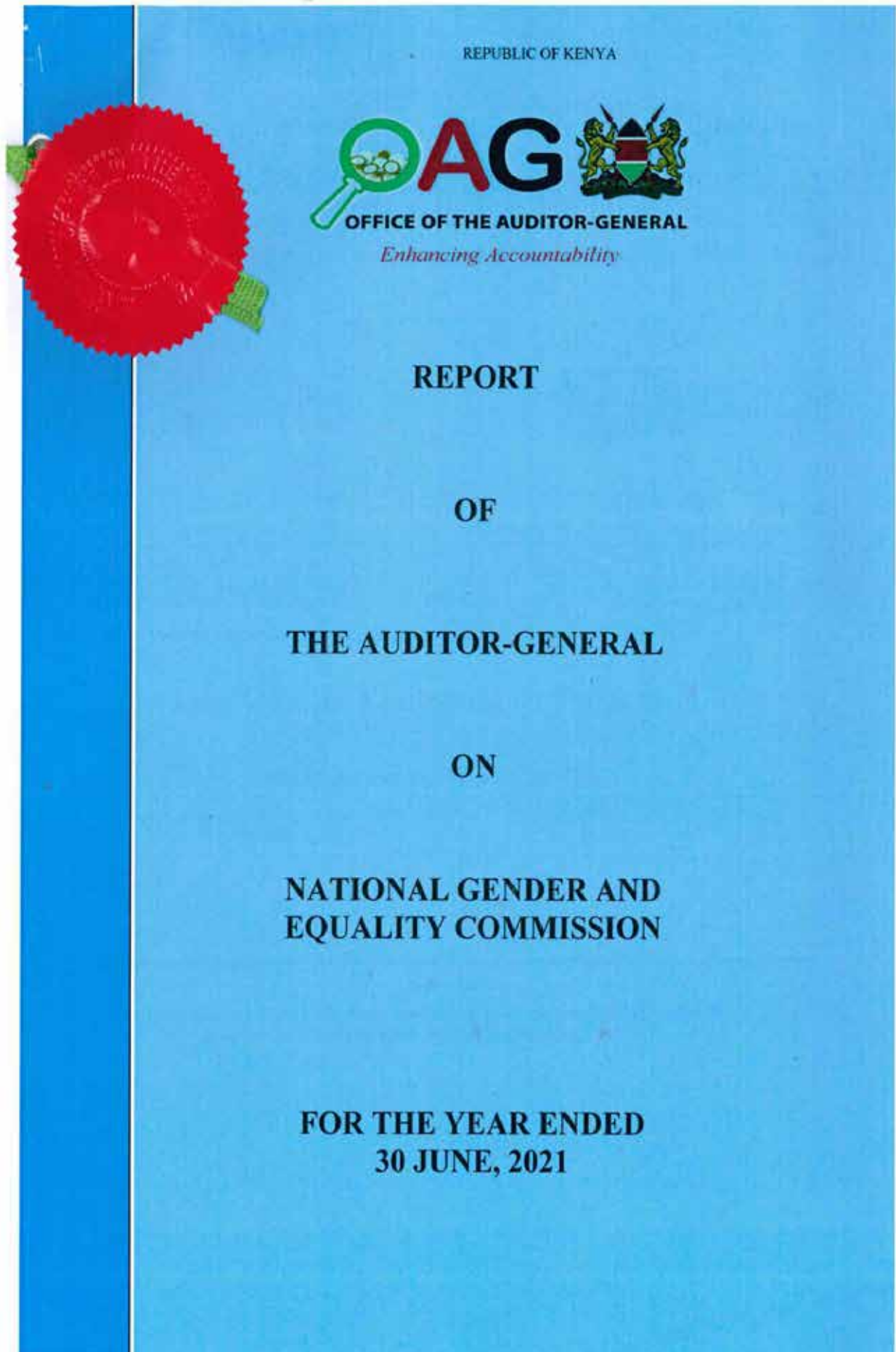
The following are the Audit reports that were considered and approved by the Commission for the period 1<sup>st</sup> July 2020 to 30<sup>th</sup> June 2021

- a. Review of end-year financial statements 2019/2020
- b. Review of provision of internet services for the period 30<sup>th</sup> November 2016 to 30<sup>th</sup> August 2020.
- c. Review of pending bills as of 30<sup>th</sup> June 2020
- d. Review of quarter four financial statements April to June 2020
- e. Review of first-quarter financial statements period July to September 2020
- f. Audit of legal, complaint, investigation and redress
- g. Review of second-quarter financial statements period October to December 2020
- h. Review of transport management for the period January to December 2020
- i. Developed risk-based Audit annual work plan period 2021/2022
- j. Audit of public communication division period July 2019 to June 2020
- k. Audit of research division period July 2019 to June 2020
- l. Review of third-quarter financial statements period January to March 2021
- m. Review of disability and elderly for the period July to 2019 to June 2020
- n. Review of youth and children for the period July to 2019 to June 2020
- o. Review of gender and women for the period July to 2019 to June 2020

## CHAPTER FOUR

### **4.0 Audited Report and Financial Statements**

The Commission approved budget for the Financial Year 2020/2021 was Kshs.427.6 million. This was composed of Ksh. 424.6 million for recurrent and Ksh. 2.874 million from development partners. This budget was reduced by Ksh. 46.2 million in Supplementary I to Ksh. 378.4 million. The budget was further reduced by Ksh. 6.4 million to Ksh. 372.0 million in Supplementary II FY 2020/21. During the Financial Year 2020/21, the Commission spent a total of Ksh. 353.3 million translating to 94% budget absorption. This section contains the Financial Statements and Report of the Auditor Gen.





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**NATIONAL GENDER AND EQUALITY COMMISSION**

**ANNUAL REPORTS AND FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED**

**JUNE 30, 2021**

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**Prepared in accordance with the Cash Basis of Accounting Method under the  
International Public Sector Accounting Standards (IPSAS)**



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## **I. KEY ENTITY INFORMATION AND MANAGEMENT**

### **1.0 Background Information**

The National Gender and Equality Commission is a Constitutional Commission established by the National Gender and Equality Commission Act. No. 15 of 2011 pursuant to Article 59 (4) & (5) of the Constitution of Kenya. The Commission's mandate is to promote gender Equality and freedom from discrimination for all people in Kenya with focus on special interest groups, which include women, children, youth, Persons with Disabilities (PWDs), older members of society, minority and marginalized groups.

The vision, mission, core values and functions of the National Gender and Equality Commission are:

#### **1.1 Vision**

A society free from gender in equality and all forms of discrimination

#### **1.2 Mission**

To promote gender equality and freedom from all forms of discrimination in Kenya, especially for special interest groups through ensuring compliance with policies, laws and practice.

#### **1.3 Core Values**

- a) Fairness;
- b) Inclusiveness;
- c) Accountability;
- d) Teamwork and
- e) Integrity.

#### **1.4 Functions**

The functions of the Commission as provided for in Section 8 of the National Gender and Equality Commission Act No. 15 of 2011 are to:

- a) promote gender equality and freedom from discrimination in accordance with Article 27 of the Constitution;
- b) monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;

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- c) act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- d) co-ordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof;
- e) monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;
- f) investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned;
- g) work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
- h) co-ordinate and advice on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
- i) conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
- j) receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirement on the implementation of the principles of equality and freedom from discrimination;
- k) work with the National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaborations in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
- l) prepare and submit annual reports to Parliament on the status of implementation of its obligations under this Act;

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- m) conduct audits on the status of special interests groups including minorities, marginalized groups, persons with disability, women, youth, and children;
- n) establish, consistent with data protection legislation, databases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
- o) perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and
- p) perform such other functions as may be prescribed by the Constitution and any other written law.

**a) Key Management**

The National Gender and Equality Commission's day-to-day management is under the following key organs:

- (i) The Commission
- (ii) The Commission Management Board

**b) Fiduciary Management**

The key management personnel who held office during the year ended 30<sup>th</sup> June, 2021 and who had direct fiduciary responsibility were:

- (i) Betty Sungura - Nyabuto, MBS - Commission Secretary/CEO (Full year)
- (ii) Paul Kihugu Kuria – Director; Programmes and Research (Full year)
- (iii) Joseph Muthama Ndiku - Assistant Director; Finance, Planning & Accounts (Full year)
- (iv) Winfred Mutindi Wambua – Assistant Director; Special Interest Groups (Full year)
- (v) Wilson Desire Njamwea - Assistant Director; Legal, Complaints, Investigation and Redress (Full year)
- (vi) Vicky Ocharo – Principal Human Resource Management Officer (From May 2021)
- (vii) Mathew Kioko Musau – Senior Supply Chain Management Officer (Full year)
- (viii) Goretty Ndeda Osur – Regional Co-ordinator (Full year)

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**c) Fiduciary Oversight Arrangements**

**1.4.1 Audit Committee**

Committee members:

- i) Kenneth Kuguru Macharia– Chairperson
- ii) Commission Vice Chairperson: Dr. Joel Chomba Munyi - Member
- iii) Esther Ngeru – Member
- iv) Rosemary Akoth Olonde – Member
- v) Jackline Kwamboka Kanisa – Senior Internal Auditor, Secretary

(The contract of the Audit Committee chairperson and members expired in December 2020)

The Audit Committee was launched in December 2017. The Committee is responsible for strengthening the effectiveness of the Internal Audit function including regular review of its capacity, approval of the Internal Audit Charter and Internal Audit Annual Work Plan.

**1.4.2 Advisory Team**

**a) Members at Policy level**

- i) Dr. Joyce Mwikali Mutinda, PhD – Chairperson
- ii) Dr. Joel Chomba Munyi, PhD – Vice Chairperson
- iii) Hon. Priscila Nyokabi Kanyua- Commissioner
- iv) Betty Sungura– Nyabuto, MBS - Commission Secretary/CEO

The main roles played by the team are to:

- Review and approve financial reports. These include expenditure, receipts and procurement reports.
- Review all financial, procurement and programs quarterly and annual work plans.
- Review and approve budget proposals.

**b) Members at Secretariat Level**

- (i) Betty Sungura - Nyabuto, MBS - Commission Secretary/CEO
- (ii) Paul Kihugu Kuria – Director; Programmes and Research
- (iii) Joseph Muthama Ndiku - Assistant Director; Finance, Planning & Accounts
- (iv) Winfred Mutindi Wambua – Assistant Director; Special Interest Groups
- (v) Wilson Desire Njamwea - Assistant Director; Legal, Complaints, Investigation and Redress
- (vi) Vicky Ocharo – Principal Human Resource Management Officer
- (vii) Mathew Kioko Musau –Senior Supply Chain Management Officer
- (viii) Goretty Ndeda Osur – Regional Co-ordinator

The main roles played by the Secretariat include to:

- review and consider the cash flow plans for recommendation to the Commission.
- review the utilization of the cash limits and consider any changes as may be required;

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- review the utilization of the donor funds voted for the Commission.
- advise the Accounting Officer on the challenges related to the budget implementation
- review and approve the submission of the expenditure returns, payroll IPPDs, pending bills
- review budgets, supplementary estimates and performance of budget against actual for the Commission in consultation with the Heads of Department.
- reviewing and making recommendations on management programs established to monitor compliance with sound public financial management, internal controls, policies, laws, regulations, procedures and the code of ethics.

### **1.4.3 Human Resource and Advisory Committee**

The members who served the Committee were:

- (i) Betty Sungura - Nyabuto, MBS - Commission Secretary/CEO (Chairperson)
- (ii) Paul Kihugu Kuria – Director; Programmes and Research
- (iii) Joseph Muthama Ndiku - Assistant Director; Finance, Planning & Accounts
- (iv) Winfred Mutindi Wambua – Assistant Director; Special Interest Groups
- (v) Wilson Desire Njamwea - Assistant Director; Legal, complaints, investigation and redress
- (vi) Vicky Ocharo – Principal Human Resource Management Officer

**The roles played by the Committee include to:**

- review training plans and reports.
- adjudicate disciplinary matters and make recommendations.
- review human resource policies and make recommendations
- consider and approve staff training requests
- review staff needs and welfare.

### **d) Entity Headquarters**

P.O. Box 27512-00506, Nairobi.  
1st Floor, Solution Tech Place  
Longonot Road, Upper Hill, NAIROBI.

**Contacts**

Toll Free. 0-800-720-187  
Phone: +254 709375100  
Phone: +254 203213100  
SMS: 20459



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**e) Entity Bankers**

Central Bank of Kenya  
Haile Selassie Avenue  
P.O. Box 60000  
City Square 00200  
**NAIROBI.**

**f) Independent Auditors**

Office of Auditor General  
Anniversary Towers, University Way  
P.O. Box 30084, GPO 00100  
**NAIROBI.**

**g) Principal Legal Advisor**

The Attorney General  
State Law Office  
Harambee Avenue  
P.O. Box 40112, City Square 00200  
**NAIROBI.**

**h) Users of Financial Statements**

- i) The National Treasury
- ii) The Office of Controller of Budget
- iii) The Commission of Revenue Allocation
- iv) The Office of Auditor General
- v) Development Partners
- vi) Other Stakeholders

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**i) The Commission**



Dr. Joyce Mutinda, PhD  
Commission Chairperson



Dr. Joel Chomba, PhD  
Vice Commission Chairperson



Hon. Priscilla Nyokabi  
Commissioner

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**BIOGRAPHIES**



Dr. Joyce Mwikali Mutinda is the Chairperson of the National Gender and Equality Commission. She was appointed on August 17, 2018 and sworn in on August 29, 2018. Dr. Mutinda is an accomplished educationist, gender analyst, quality auditor, training consultant and a monitoring and evaluation expert. She holds a Doctor of Philosophy degree in Educational Management from Makerere University in Uganda, a Master of Arts degree in Gender Analysis in Development from the University of East Anglia in the United Kingdom and a Bachelor of Education degree from the University of Nairobi, Kenya.

Prior to her appointment, Dr. Mutinda was the Chairperson of Rongo University Council. Throughout her career, Dr. Mutinda has served in over fifteen public institutions in the education sector and civil service and undertaken numerous local, regional and international consultancies.

She has published over 20 research papers and reports and is a respected training consultant and facilitator. She has attended over 40 high level workshops and seminars and represented the Country in various capacities. At the community level, she has served in various Management Boards of secondary schools and Teachers Training Colleges as well as holding leadership positions in various associations.

Dr. Mutinda is an avid reader and writer, cherishes mentoring the youth, motivating the girl-child and women, conserving the environment and loves singing.



Dr. Joel Chomba, PhD  
Vice Commission  
Chairperson

Dr. Chomba is the Vice Chairperson of the Commission. He was appointed on August 17, 2018 and sworn in on August 29, 2018. He holds a Doctor of Philosophy Degree from Kenyatta University, Doctor of Education (Special Needs Education) from the University of Marylebone, UK, PGDE in Curriculum Development and Evaluation from Kenyatta University, Master's degree in Special Needs Education from Michigan State University, U.S.A, and a Bachelor of Education from University of Nairobi.

He has served in the Disability Sector as a Chairman in the Disabled Voters of Kenya Alliance (DVA) and Kenya Union for the Blind (KUB). Other memberships include; the Nairobi County Public Service Board, National Council for Persons with Disabilities (NCPWD), Kenya Institute of Special Education (KISE) Council, Kenya Institute for the Blind (KIB) Board of Management and Nguvu Boys' High School Board of Management.

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Prior to his appointment Dr. Chomba worked as a Senior Lecturer at Kenyatta University in the Special Needs Education Department, as Managing Director at Disability Awareness and Development (FAMDAD) Management Consultancy and as an Executive Director at the African Union of the Blind (AFUB).



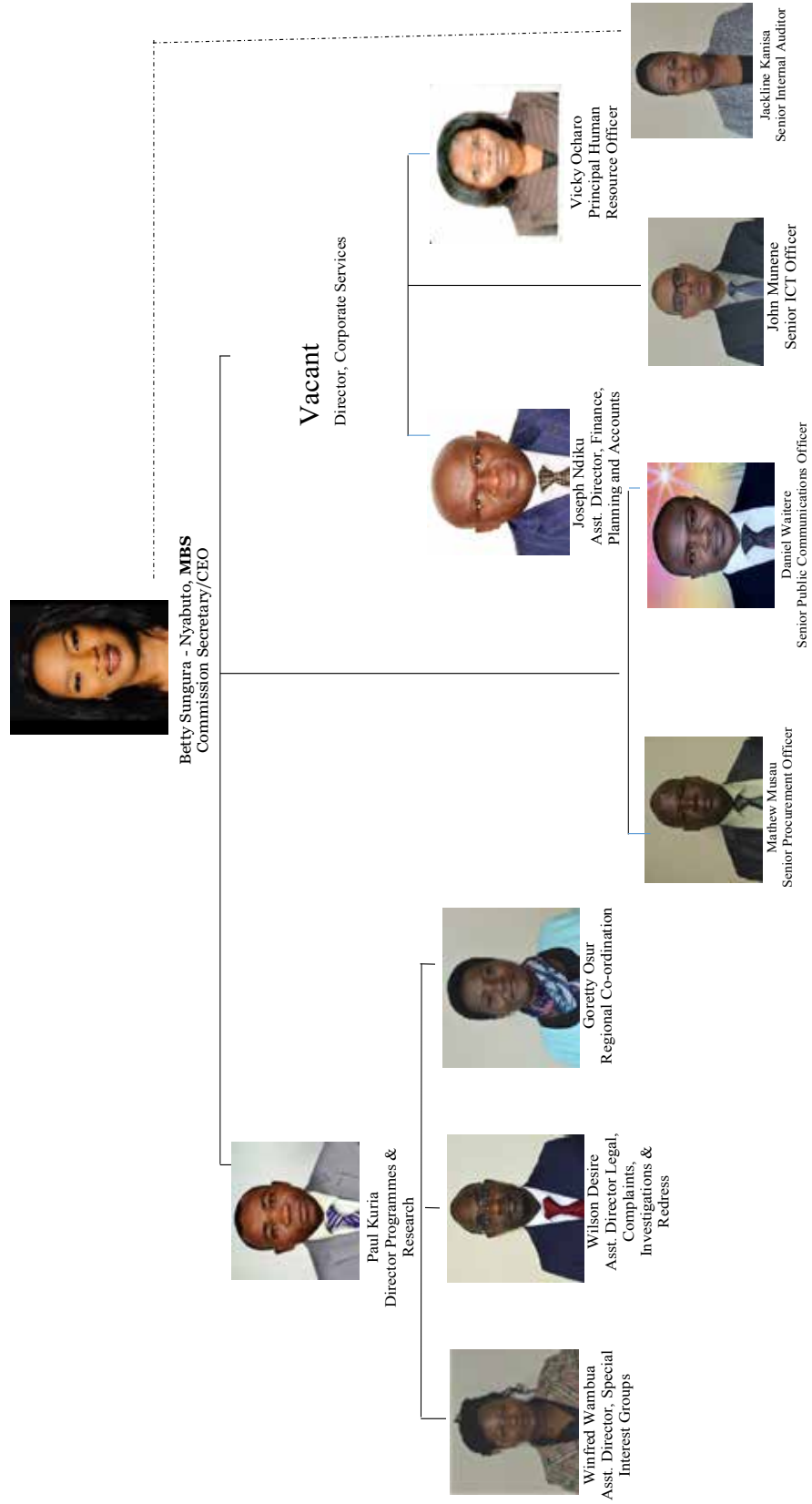
Hon. Priscilla Nyokabi  
Commissioner

Hon. Nyokabi is an Advocate of the High Court of Kenya and holds a Bachelor of Law Degree from the University of Nairobi and a Diploma from the Kenya School of Law. She is the first Nyeri County Woman Member of Parliament who served from 2013 to 2017. She was appointed on August 17, 2018 and sworn in on August 29, 2018. Before joining Parliament, Hon. Nyokabi was the Executive Director of Kituo Cha Sheria. She served as the Deputy Presiding Officer Eastern Africa in the African Union Permanent Assembly of the Civil Society (AU ECOSOC) and as a Media Council of Kenya Complaints Commissioner. She was nominated Top 40 under 40 Women in Kenya in 2010 and 2011 by Nation Business Daily. During her stint in Parliament Hon. Nyokabi championed issues of women, human rights and development.

She served in various Parliamentary committees including: Justice and Legal Affairs Committee as the Vice Chairperson, Budget and Appropriations Committee, House Business Committee, Chairperson of Caucus 47 of all the County Women Representatives, Kenya Women Parliamentary Association (KEWOPA) as an Executive Committee Member and Catholic MPs Forum as a Member. Hon. Nyokabi is married and a mother of two.

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**j) The Secretariat**







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 <p>Betty Sungura-Nyabuto, <b>MBS</b> Commission Secretary/CEO</p>	<p>Ms. Betty Sungura- Nyabuto MBS, is the Commission Secretary and Chief Executive Officer of the National Gender and Equality Commission (NGEC). An accomplished scholar, Advocate of the High Court of Kenya and an active member of the Law Society of Kenya, Betty holds a Bachelor of Laws (LLB) and Master in Laws (LLM) in International Trade &amp; Investment Law, both from the University of Nairobi.</p> <p>Betty has served at the Independent Electoral and Boundaries Commission (IEBC) in the Chief Executive portfolio both as Acting CEO and Deputy CEO capacities. She had previously served as the CEO of the Law Society of Kenya. She has served as Legal Counsel at FIDA- Kenya. In her legal career and governance leadership stint, she has interacted widely with the legal profession at the bar, bench, private and public sector as well as at local, regional and international levels including the East African Court of Justice(EACJ) and the EAC.</p> <p>Betty is a proficient author, child rights defender and has written books on good governance and also authored separately with the UN- Women on how to promote participation of women in elections. As part of her participation in good governance, Betty has undertaken major regional and international consultancies including assisting the Burundi Bar Association with Strategic Planning in preparation of their first ever Strategic Plan with the support of Avocats sans frontières Belgium.</p> <p>She has worked with Plan Nederlands International in Amsterdam defending child rights and is currently serving as a member of the Law Society of Kenya Mentorship Board/ Committee. She is a Commissioner of Oaths and a Notary Public, both conferred by the Judiciary in Kenya.</p>
 <p>Paul Kuria Director Programmes &amp; Research</p>	<p>Mr. Paul Kuria was appointed the position of Director Programs and Research in March 2019.</p> <p>He holds a bachelor's degree in Anthropology and a master's degree in Anthropology both from the University of Nairobi, Kenya.</p> <p>He is responsible for the design of programmatic interventions and strategic research activities essential for the fulfilment of the Commission's core mandate and functions.</p> <p>Prior to the appointment, Mr. Kuria served in the management of NGEC (2013 and 2017) as Ag. Commission Secretary/CEO</p> <p>In 2018, Mr. Kuria was the technical advisor of Gender Committee, Council of Governors where he directed UNWOMEN supported programs.</p> <p>Mr. Kuria is the former Kenya Country Manager of Bill and Melinda Gates Kenya Urban Reproductive Health Program, and former Project Manager of the David and Lucile Packard Foundation Western Kenya Reproductive Health Project.</p>



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 <p>CPA Joseph Ndiku Assistant Director, Finance, Planning and Accounts</p>	<p>CPA Joseph Ndiku was appointed to the position of Assistant Director, Finance Planning and Accounts on 7<sup>th</sup> July 2019. He holds a Masters of Business Administration (MBA - Finance), Bachelors of Business and Management (Accounting Option) both from Egerton University. He is a Certified Public Accountant of Kenya (CPAK), Certified Information Systems Auditor (CISA), Certified Public Secretary (CPS) and a Diploma in Information Technology of Jomo Kenyatta University of agriculture and Technology. He is in charge of Finance, Planning and Accounting Department that is mandated with the development and maintenance of effective financial management and control systems; coordination of budgeting processes and financial reporting. He has over 17 years' working experience having previously served as Chief Finance Officer at Jaramogi Odinga Oginga University of Science and Technology, Chief Officer, Finance and Socio-Economic Planning, Makueni County Government, Finance and Accounting Manager at Higher Education Loans Board (HELB) among others.</p>
 <p>Winfred Wambua Assistant Director, Special Interest Groups</p>	<p>Ms. Winfred Wambua was appointed the Assistant Director Special Interest Groups in 10<sup>th</sup> August, 2018. She holds a Master of Arts in Development studies and a Bachelor of Arts degree in Anthropology (first class honors) from the University of Nairobi. In her role she is responsible for the design, development and execution of the programmatic interventions that promote equality and inclusion of the special interest groups. Prior to her appointment Ms. Winfred served as a Chief Officer in charge of Gender, Youth, Sports and social services in Makueni County.</p>
 <p>Wilson Desire Assistant Director Legal, Complaints, Investigations &amp; and Redress</p>	<p>Desire Njamwea was appointed the Assistant Director Legal, Complaints, Investigations and Redress on 10<sup>th</sup> August, 2018. He holds a Master of Laws in International Human Rights and HIV in Africa from the University of Pretoria, Bachelors of Law from Moi University, Kenya and Diploma in Law. He is in charge of designing and reviewing the Commission's mechanism for receiving and processing complaints of violations of principles of equality and freedom from discrimination; designing and facilitating mechanisms for formal hearings and inquiries; establishing joint referral mechanisms for complaints with Article 59 Commissions; ensuring compliance by the Commission on its legal mandates; reviewing laws, policies and administrative regulations to ensure integration of principles of equality and freedom from discrimination.</p>
 <p>Vicky Ocharo Principal Human Resource Management Officer</p>	<p>Ms. Vicky Ocharo was appointed the Principal Human Resource Management Officer on 1<sup>st</sup> May, 2021. She heads the Human Resource Department where she is charged with formulating, reviewing and coordinating all matters HR. She is a qualified HR Practitioner with vast experience in the public sector and holds a Master in Business Administration in</p>

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	<p>Strategic Management and Human Resource Management (Double Majors) from Daystar University, Bachelor of Commerce majoring Human Resource Management from Catholic University of East Africa and Higher Diploma in Human Resource Management. She is a CHRP (K) and a Full Member of the Institute of Human Resource Management. She has held various positions in the Public Sector including Acting Head, Principal HR Officer and Senior HR Officer in various Government Institutions.</p>
 <p style="text-align: center;">Goretty Osur Regional Co-ordination</p>	<p>Goretty Osur was appointed Regional Coordinator in August, 2018. Her duties entail; Provision of advice on matters relating to gender equality and freedom from discrimination, coordination of public education programmes for the creation of a culture of respect for principles of equality and freedom from discrimination and coordinating programme activities at the regional levels, Development of strategic partnerships and coordination with relevant stakeholders on matters of SIGs; collaborations and resource mobilization for the regions and monitoring and advocating for compliance with constitutional provisions, national laws, regional and international conventions and treaties relating to gender equality and freedom from discrimination and implementing strategies in the Commission's Strategic Plan relating to special interest groups on mainstreaming, monitoring and development of affirmative action policies in National and County governments in the public and private sector.</p> <p>She holds a Master of Arts in Sociology, University of Nairobi, Diploma in Human Resource Management from the Kenya Institute of Management and Bachelors of Arts in Sociology and Public Administration, University of Nairobi.</p>
 <p style="text-align: center;">John Munene Senior ICT Officer</p>	<p>Mr. John Munene joined the Commission in 2012. He is responsible for ensuring the Commission achieves optimal effectiveness and efficiency through deployment of cutting end technology and innovation.</p> <p>He holds a Master's Degree in Information System from University of Nairobi and a degree in Information Technology from Moi University.</p> <p>He is a Certified Information Systems Auditor, Certified Information Security Manager and a Certified Cisco Network Associate among other qualifications.</p> <p>He is a member of Certified Information Systems Audit and Control Association (ISACA) and Computer Society of Kenya.</p>
 <p style="text-align: center;">Jackline Kanisa Senior Internal Auditor</p>	<p>Mrs. Jackline Kwamboka Kanisa assumed the position of Senior Internal Auditor in 24th June, 2019. She is in charge of Internal Audit Division that provides objective appraisal of the financial and operational activities of the Commission.</p> <p>She holds a Masters in Strategic Management from Kenyatta University and Bachelors degree in Commerce (Finance option) from Catholic University of Eastern Africa, a Certified Public Accountant, an active Member of the Institute of Certified Public Accountants of Kenya (ICPAK) and a member of Certified</p>

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	Information Systems Audit and Control Association (ISACA).
 <p>Mathew Musau Senior Procurement Officer</p>	<p>Mr. Mathew Musau was employed as the Senior procurement Officer on 1<sup>st</sup> September 2014. He holds a Masters degree in Procurement and Logistics from JKUAT, a Bachelor of Commerce Degree in Business Management/ Marketing from Daystar University, a Graduate Diploma in Procurement from the Chartered Institute of Procurement and Supply (CIPS) and a certificate in Strategic Management and Leadership from the Kenya Institute of Management (KIM).</p> <p>Prior to this employment, Mathew was the Senior Procurement Officer at KenGen.</p> <p>He is responsible for managing the procurement function of the Commission and providing technical advice to the Management.</p>
 <p>Daniel Waitere Senior Public Communications Officer</p>	<p>Daniel Waitere is the Head of Communications Division at the National Gender and Equality Commission -NGEC. Mr. Waitere holds a Bachelor of Arts degree in Communications from Daystar University. Mr. Waitere has excellent communication skills and good understanding of mainstreaming issues of gender and disability into programmatic interventions in promotion of the rights of the special interest groups who include women, persons with disabilities, the youth, children, older members of society, the minority and marginalized groups in Kenya. As the programme leader in the Public Communications Division, Mr. Waitere has implemented projects on communications, public education, advocacy and capacity building at the national and county levels. He is the liaison person with the media helping in accelerating public education and coverage of the Commission's activities in both emerging and traditional print and electronic media.</p>

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## II. FORWARD BY THE COMMISSION CHAIRPERSON



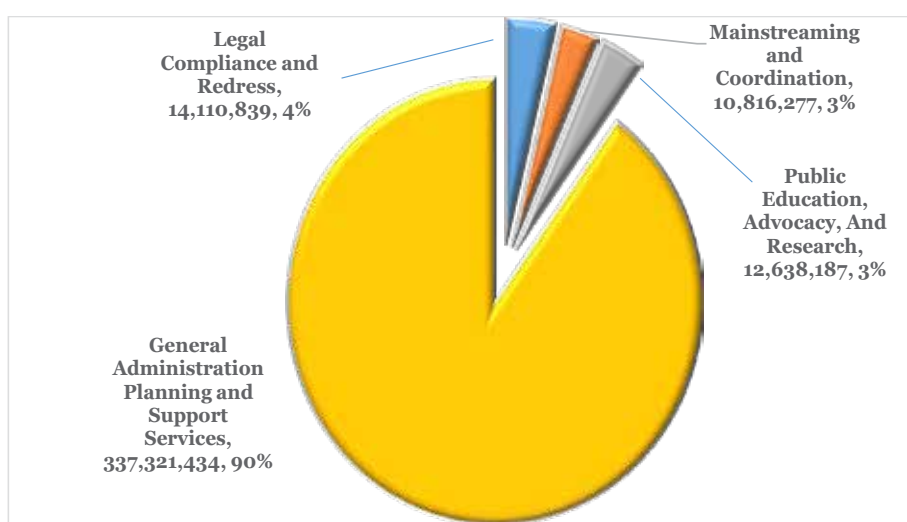
The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act. No. 15 of 2011 pursuant to Article 59 (4) & (5) of the Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from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

In the 2020/21 Financial Year, Commissions' Recurrent vote printed estimates was Kshs.424.66 million. The approved estimate was Kshs. 372.01 million. The Commission received Kshs 10,131,000 from Ford Foundation during the year. The actual expenditure was Kshs.353.3 million translating to 94% budget absorption.

### Budget allocation

This gross budget was allocated under the programme for promotion of Gender Equality and Freedom from discrimination under the following four sub-programmes as shown in the chart below:

**Budget Allocation by sub-programmes**



- i) **Legal Compliance and Redress:** The objective of the sub-programme is to monitor, facilitate and advise on the integration of the principles of equality,

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freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions. It also includes investigations and redress for violation of principles of equality and inclusion as envisaged under article 27 and 43 of the Constitution. It was allocated Kshs. 14,110,839 representing 4% of the budget.

- ii) **Mainstreaming and Co-ordination:** The objective is to co-ordinate and facilitate mainstreaming of issues of gender, persons with disabilities and other marginalised groups in national development programs and actions. It also advises the Government and facilitates the implementation of affirmative actions and programs. It was allocated Kshs. 10,816,277 representing 3% of the budget.
- iii) **Public Education, Advocacy and Research:** The main objective is to co-ordinate and advice on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination, conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution of Kenya, 2010. It was allocated Kshs. 12,638,187 representing 3% of the budget.
- iv) **General Administration and Support Services:** the objective is to strengthen institution capacity to deliver on its mandate. It was allocated Kshs. 337,321,434 representing 90 % of the budget.

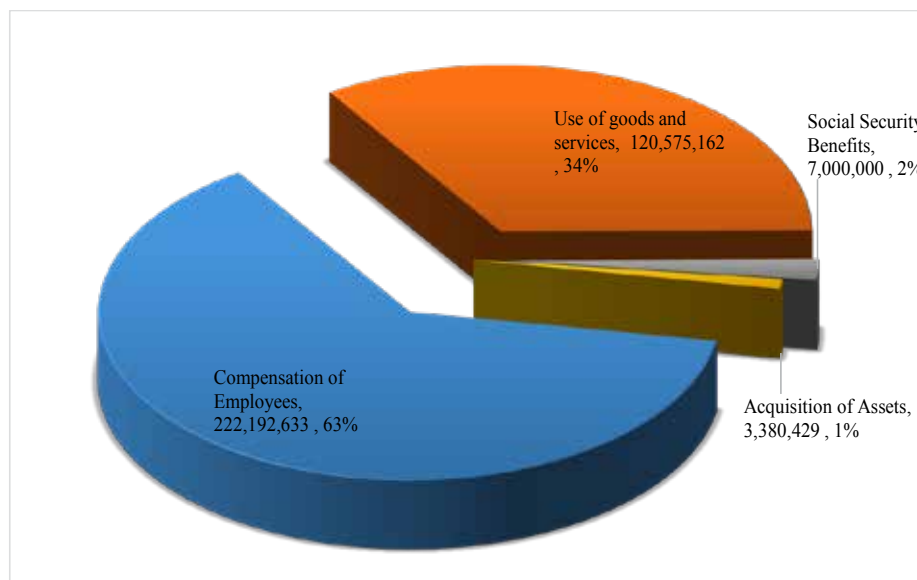
**Key Performance Highlights:**

**Financial Performance Summary**

Approved Budget Allocation	Actual Expenditure	Difference in Utilisation	Percentage Absorption
374,886,737	353,307,823	21,578,914	94%

The Commission spent **Kshs. 353,307,823** against an approved budget of **Kshs. 374,886,737** representing absorption of **94%**. Utilisation of the budget was carried out through various activities (economic classifications) as shown in the graph below:

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It should be noted 34% of budget allocation for the Commission was used on procurement of goods/services and operations, 63% for personnel emoluments, 2% on gratuity and 1% is for acquisition

Comparing the current financial year to FY 2019/20, the absorption level remained at 94% in FY 2020/21

### Receipts

The Commission receipts mainly comprise of exchequer releases from the National Treasury and external grants from development partners. During the financial year 2020/21, the Commission received a total of Kshs. 353,439,707 relating to exchequer releases from National Treasury. There were no receipts from development partners. This is a decrease of 6% of total receipts compared Kshs. 375,712,646 received in FY 2019/20.

### Payments:

The total payments for the FY 2020/21 were Kshs. **353,307,823** representing 6.0% decrease compared to Kshs. **376,118,816** spent in the FY 2019/20.

The payments for FY 2020/21 were as follows: -

Description	Payments	
	2020/21	2019/20
Compensation of Employees	222,192,633	207,435,262
Use of goods and services	120,734,762	141,575,689
Social Security Benefits	7,000,000	24,746,161
Acquisition of Assets	3,380,429	2,361,704
<b>Total Payments</b>	<b>353,307,823</b>	<b>376,118,816</b>



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The reduction was occasioned by budget cuts during the Financial Year 2020/21 which occurred mostly due to Government's response to Covid-19

**Achievements in FY 2020/2021**

During the financial year 2020/2021, the Commission achieved the following under the different strategic objectives:

**1.0 Strategic Objective 1: To enhance and monitor compliance with the principles of equality and inclusion in state and non-state actors.**

- 1.1 Facilitated the Office of the Attorney General and Department of Justice in development of an implementation matrix for the 3rd cycle review recommendations under the Universal Periodic Review Process. The matrix outlines the tasks to be undertaken to implement the recommendations, indicators to monitor the progress made, responsible actors, and timelines within which the tasks should be undertaken and completed. It further facilitated in preparing a report responding to the concluding observations for the 2<sup>nd</sup> to 5<sup>th</sup> State report on International Covenant on Economic, Social and Cultural Rights reviewed in 2016. The report provides responses to the concluding observations and provides new developments made to improve enjoyment of the rights contained in the International Covenant on Economic, Social and Cultural Rights. The Commission presented data and information on:
- i. Measures taken to strengthen the enforcement of the Protection against Domestic Violence Act including training of law enforcement officials and judges on application of the Act;
  - ii. The steps NGEK has taken to raise awareness among women, local and traditional communities and their leaders, the judiciary and land administration officials on the matrimonial property Act of 2013; and
  - iii. The efforts that have been made to implement the two-thirds gender rule gender in the public sector in both elective and appointive bodies as guaranteed in the COK, 2010.
- 1.2 As a member of the technical Committee, the Commission facilitated the State in the planning of the 65<sup>th</sup> UN Session of the Commission on the Status of Women (CSW 65), 2021 and contributed in the preparation of the Kenya Country Position paper themed "*Women's full and effective participation and decision-making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls*". The Commission participated in local, regional and global sideline meetings, side events and workshops organized during the Conference. In particular, the Commission presented a paper on 18th March 2021 on barriers to full and effective participation of women and girls with disabilities. The virtual event sought to find effective strategies to promote greater recognition and realization of the rights of women and girls in the context of their participation.

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- 1.3 Facilitated the development of Kenya's 9th Periodic Report on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The Commission documented actions implemented as per the concluding observations and recommendations made in the 8th cycle CEDAW Report.
- 1.4 Facilitated development of 8th and 9th State report on the International Convention on Elimination of All Forms of Racial Discrimination (ICERD). The Commission provided information about the status of each of the special interest groups in regards to various forms of discrimination and the report responding to the list of key issues raised by the UN Human Rights Committee based on the 4th Kenya period report on the International Convention on Civil and Political Rights (ICCPR) submitted in December 2018. NGEC presented data and information on women political participation, violence against women in politics and violence against women in elections, women representation in private sector and the review of the political parties laws and regulations. The information and data shall inform Kenya oral dialogue session scheduled for November 2020 on Kenya's compliance with her obligations under the ICCPR.
- 1.5 Contributed in the review of draft International Conference on Population and Development, ICPD+ 25 icons and messaging. The review was aimed at increasing the relevance of the messages and ease communication and reference to the ICPD+25 goals.
- 1.6 In collaboration with Collaborative Centre for Development (CCGD) facilitated the development of Scorecard for the evaluation of progress made by the state in the implementation of the Protocol to the African Charter on Human and Peoples' Rights On the Rights of Women in Africa (Maputo Protocol). The Scorecard will be used as a performance management tool in the assessment of Kenya's enactment, enforcement and implementation of the Maputo Protocol. Further, In collaboration with IDLO, facilitated development of Tools for Assessing Compliance with Concluding Observations and Recommendations issued to the Government of Kenya under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), and The Convention on the Rights of Persons with Disabilities (CRPD)
- 1.7 Contributed in the review of the progress Kenya has made on Sustainable Development Goal (SDG) Number 5 on Gender Equality. The review was designed to inform the finalization of Kenya Gender Equality strategy 2020-2025. The strategy has been developed by the State Department for Gender (SGfG) to accelerate the implementation of SDG 5 in the County. On a related activity, the Commission on 23rd March, 2021, contributed in the launch of the National Gender and Development Policy and Women Economic Empowerment Strategy developed by SdfG.
- 1.8 In monitoring compliance with constitutional and statutory requirements for integrating the principles of equality and inclusion, the Commission receives, collates, analyzes and prepares annual progress reports for Ministries, government Departments and Agencies. The Commission prepared 84 certificates of compliance and corresponding advisories to institutions signatory

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to the 2021/2022 public performance contracting. The advisories identify areas of improvement that each agency should deal with to effectively integrate principles of gender equality and inclusion in public service delivery. In addition, during the period under review, the Commission received reports from 256 agencies detailing their performance on mainstreaming gender.

- 1.9 In collaboration with Plan International Kenya and the Collaborative Centre for Gender and Development (CCDG) virtually launched the report title, 'the Minimum Age of Consent for Sex: Addressing the Dilemma'. The meeting was attended by 190 stakeholders. During the launch, the Cabinet Secretary for the Ministry of Labour and Social Protection pronounced the Government position on the subject of age of consent for sex. Kenya age of consent for sex therefore is 18 years.
- 1.10 Participated in the GOK/UN Annual review and planning of the Kenya Cooperation Framework's, UNDAF 2018-2022. The United Nations Development Assistance Framework (UNDAF) is a framework within the context of delivering as one, as a collective response of the UN agencies and the Government of Kenya (GOK) to coherently, effectively and efficiently realize the national development priorities. The Commission's participation was mainly to plan for the 2021-2022 implementation phase.
- 1.11 Facilitated development and review of the indicators for the implementation of the 25 years post 1994 International Conference on Population and Development, (ICPD+25 Nairobi Summit), Kenya Country Commitments. The Commission paid attention to indicators focusing on gender and freedom from discrimination. The indicators shall be included in the National Information System (e-NIMES). Further, the Commission facilitated the Unit of monitoring and evaluation in the State Department of Planning with the development of a strategic plan to support the National Integrated Monitoring and Evaluation System (e-NIMES).
- 1.12 Participated in a workshop to review the implementation of the Sustainable Development Goals (SDGs) at the National and County levels and plan for accelerated implementation. The Commission gave inputs on strategies for practically integrating the principles of gender equality and freedom from discrimination across all the SDGs interventions.
- 1.13 Facilitated various government agencies improve on integration of the principles of equality and inclusion within their operations and programs. This is mainly done through facilitative trainings and development of friendly workplace policies. The training sessions are geared towards enabling responsible officers report accurately and in timely manner. The Commission facilitated **35** institutions including: The Council of Governors, The Council of Legal Education, Kenya Bureau of Standards, the National Youth Council, the State Department for Petroleum; State House, the National Youth Council, Konza Technopolis Development Authority, the National Youth Service, the Uwezo Fund and Kenya Ferry Services, The University of Nairobi, Kisumu, the Kenya Plant Health

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- Inspectorate Service (KEPHIS), Kenya Agricultural and Livestock Research Organization (KALRO, Kirinyaga University, Post Bank, Kenya Industrial Properties Institute and the Kenya National Examinations Council; UoN Kisumu Campus Staff, Bomet University College, Laikipia University, Machakos County Government, the Machakos sub-county gender mainstreaming groups, Geothermal Development Company, Industrial and Commercial Development Corporation, the Kenya Roads Board, Energy and Petroleum Regulatory Authority, Maseno University, the Kenya Universities and Colleges Central Placement Service (KUCCPS), among others.
- 1.14 Facilitated the Ministry of Environment and Forestry (MOEF) through UNDP develop the National Climate Change Learning Strategy. The Commission was part of the technical team responsible for assessing the learning needs and priorities and institutional capacities to implement the National Climate Change Learning Strategy. The Commission has supported the MOEF field virtual focus group discussions on the learning needs of various agencies and institutional capacities of agencies with greatest responsibility in mitigating climate change related shocks. On 17th December, 2020, the Commission participated and contributed in the validation process of the report on learning needs and capacity assessment for the Climate Change Learning Strategy in Kenya.
- 1.15 In collaboration with the Ministry of Environment and Forestry, UNDP and other stakeholders participated in phase two of the Gender Inclusion Assessment of Forest Dependent Communities in Forest Conservation and Management, covering 12 Counties including Meru, Tharaka Nithi, Embu, Nyeri, Makueni, Kitui, Taita Taveta, Kiambu, Kwale, Kilifi, Isiolo and Marsabit. The Commission facilitated and provided guidance on the integration of the principles of equality and inclusion in the assessment process. The results of the assessment will inform the REDD+ strategy in Kenya.
- 1.16 Finalized and published the following reports: -
- i. Minimum Age of Consent for Sex: Addressing the Dilemma: A summary report of discussions and proposals from multi- sectoral stakeholders' fora, 2019
  - ii. The 2019 Kenya Population and Housing Census: An Observation Report of the National Gender and Equality Commission: Emerging Issues, Gaps, Good Practices and Recommendations
  - iii. Guidelines for establishing and managing Equality and Inclusion Technical Working Group (EITWG)
  - iv. Guide for County Government Leadership: Integration of Gender Equality, Inclusion in County Development, 2020
  - v. An Introduction of Gender Based Violence in Emergencies (GBVIE) to the National and County Equality and Inclusion Technical Working Groups: Proceedings of Consultative and Accountability fora held at national level (Nairobi), and in Kilifi and Homabay Counties, July and September 2019

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- vi. Hard Living: Equality and Inclusion of Refugees in Kenya: A Mission to Kakuma Operation Centre and Kalobeyei Integrated Socio-Economic Development Settlement Program in Turkana County
  - vii. Child Pregnancies in the Context of COVID-19 Pandemic in Kenya: A Report of the Multi-Stakeholders Virtual Consultative Meeting, held on 24<sup>th</sup> July 2020.
- 1.17 Participated and contributed in a meeting to discuss the progress Kenya has made in the ratification of the protocols to the African Charter on Human and Peoples' Rights on the Rights of Older Persons and the Rights of Persons with Disabilities in Africa held on 28<sup>th</sup> May 2021. The meeting was organized by the Centre for Human Rights, University of Pretoria.
- 1.18 Facilitated development of the Kenya Country Position paper and statements for the 2021 High Level Political Forum on Sustainable Development and the corresponding annual Ministerial meetings to be held from 2nd-16th July 2021.
- 1.19 Facilitated various MDAs to develop workplace gender equality and inclusion mainstreaming policies (including GBV policies, the disability policy, sexual harassment policy) Some of the government agencies facilitated included: State House, Kenya Medical Training College, Kenya National Examination Council, Kenya Intellectual Property Institute, Ministry of Health
- 1.20 Participated and contributed in the validation of the Resource Mobilization Strategy for the National Prevention and Response Plan (NPRP) on Violence Against Children 2019-2023 on 21<sup>st</sup> May 2021.

**Strategic Objective 2:** To reduce violations of the principle of equality and freedom from discrimination for the SIGs:

- 2.1 Reviewed and gave inputs to 64 legal, policy and administrative instruments both at the County and National level. The inputs were mainly to address equality and inclusion issues and ensure the rights and freedoms of the most vulnerable population is guaranteed, protected and promoted. The Commission also reviewed the language used by drafters to avoid any derogatory terms and phrases in describing status and needs of SIGs. Some of the legal instruments reviewed include:

**2.1.1 Bills**

- i) Reproductive Health Care Bill (Senate Bill No. 23 of 2019)
- ii) Care and Protection of Child Parent Bill, 2019
- iii) Poverty Eradication Bill, 2020
- iv) Mediation bill (national assembly bill no.17 of 2020)
- v) The social assistance (repeal) bill, 2020
- vi) Persons with Disabilities, Amendment Bill, 2020
- vii) The Narcotics, Drugs and Psychotropic Substances (control) (amendment) Bill 2020
- viii) Remuneration Guidelines for the Public Sector, 2020
- ix) The County Governments (General) Regulations 2020

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- x) The Law of Succession (Amendment) Bill, 2020
- xi) Constitutional Amendment BBI (2021) Bill-National Assembly
- xii) The Children (Amendment) Bill 2020- National Assembly
- xiii) Community Health Workers Bill 2020- National Assembly
- xiv) Health Laws (Amendment) Bill, 2021- National Assembly
- xv) Community Health Services Bill, 2020 - Senate
- xvi) The Mental Health Amendment Act 2021- Senate
- xvii) The Political Party Primaries Bill 2021- Senate
- xviii) The Law of Succession (Amendment) Bill, 2020
- xix) East Africa Community Gender Equality and Development Bill, 2017
- xx) The Disaster Risk Management Bill (Senate Bills No. 14 of 2021)
- xxi) Prompt Payment Bill (Senate Bills No. 16 of 2021)
- xxii) The Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 7 of 2021)
- xxiii) The County Vocational Education and Training Bill (Senate Bills No. 6 of 2021)
- xxiv) The Basic Education (Amendment) Bill (Senate Bills No. 4 of 2021)
- xxv) The Kenya Sign Language Bill (Senate Bills No 5 of 2021).
- xxvi) The National Hospital Insurance Fund (Amendment) Bill (National Assembly NO 20 of 2021)
- xxvii) The National Addressing Bill ,2021
- xxviii) Breastfeeding Mothers Bill, 2019

### **2.1.2 County Bills**

- i) Garissa County Immunization Bill, 2020
- ii) Nakuru County Gender Equality Bill 2019

The Commission also submitted some memoranda orally before the different house committees. They include:

- i) The Law of Succession (Amendment) Bill (Senate Bills No. 15 of 2021)
- ii) The County Vocational Education and Training Bill (Senate Bills No. 6 of 2021)
- iii) The National Hospital Insurance Fund (Amendment) Bill (National Assembly Bill No 20 of 2021)
- iv) Community Health workers Bill (National Assembly Bills No 30 of 2020)
- v) Persons with Disabilities Amendment Bill- (Senate Bill No 20 of 2020)
- vi) East Africa Community Gender Equality and Development Bill, 2017
- vii) Poverty Eradication Bill, 2020

### **2.1.3 Policies**

- i) Kisumu County Gender Mainstreaming Policy 2020
- ii) Kitui County Gender Policy, 2020
- iii) Meru County Gender Mainstreaming Policy, 2020
- iv) Draft Siaya County SGBV Policy, 2020
- v) Kisumu County SGBV Policy, 2019
- vi) Migori County SGBV policy, 2020
- vii) Nakuru County Disability Act, 2016
- viii) Garissa County Gender policy, 2020
- ix) Mombasa County Draft Transport Policy 2018



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- x) Kilifi County gender based violence Policy ,2019
- xi) Kilifi County Gender Policy,2019
- xii) Migori County GBV Policy ,2019
- xiii) Nakuru County Gender and development Policy 2021
- xiv) Busia County Gender Policy 2019
- xv) Mandera County Emergency Fund Act, No 3 of 2020
- xvi) Tana River County Disaster Risk Management Act , 2020
- xvii) Draft Vihiga County Gender Policy, (2020)
- xviii) Kilifi menstrual hygiene management policy (2021)
- xix) The National Addressing Policy 2021
- xx) National policy on disability 2016
- xxi) Sessional Paper number 3 of 2012 on Population Policy for National Development
- xxii) Guidelines for the formulation of County Employment Equity Plan (CEEP),2021

#### **2.1.4 Regulations**

- i) Victims Protection General Regulations ,2020
- ii) Victims Protection Fund Regulations 2020
- iii) The Public Finance Management Social Assistance fund regulations 2019
- iv) Public Finance Management Biashara Fund Regulations, 2020
- v) The National Gender and Equality Commission Complaints Handling, Practice and Procedure, Regulations 2020. The regulations will give the Commission power to adjudicate on matters relating to equality and freedoms from discrimination, investigate complaints made to it or on its own motion relating to equality and freedom from discrimination as provided for in section 26 (c) 29 (1) of NGECA Act.
- vi) Persons with Disabilities (access to employment, services and facilities) (amendment) regulations, 2009
- vii) Persons with Disabilities (income tax deductions and exemptions) (amendment) 2019
- viii) Persons with Disabilities (Registration) (amendment) 2019
- ix) The Draft National Building Code, 2020
- x) Draft-Energy-Electricity-Reliability-Quality-of-Supply-and-Service-Regulations, 2021
- xi) Access to Information Regulations, 2021

#### **2.1.5 Action plans**

The action plan for the implementation of the National Gender and Development Policy

2.2 In addition, the Commission facilitated public participation of the Victims Protection General Regulations and Victims Protection Fund Regulations 2020 in Kisumu, Bomet and Kisii Counties between 8th and 11th December 2020. During the exercise, 160 members of public from the three counties gave their views on the Regulations and were informed on the existence, role and functions of the Victims Protection Board. Issued advisories to government agencies as follows:

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- i) to the State Department for Fisheries, Aqua culture and the Blue Economy, Ministry of Agriculture, Livestock, Fisheries and Cooperatives, following an advertisement in the Daily newspapers seeking to recruit persons for training and specifically on the eligibility of the applicants. The Commission noted that the criteria of eligibility was highly discriminatory and contrary to the principle of gender equality, equity and fairness and advised the Ministry to withdraw and reconsider the criteria of eligibility based on the values and principles of equality and freedom from discrimination as enshrined in the Constitution of Kenya, 2010.
  - ii) Cabinet Secretary, Ministry of Labour and Social Protection on the proposed engagement of street children in the Nairobi Metropolitan Services (NMS) Power plan. The Children would be hired by NMS and get involved in the sorting of trash material from the Dandora Dump site before it is taken into processing factory for use in generating power. The Commission requested the ministry to reconsider its position and ensure children are protected from harmful and exploitative labor.
  - iii) Judiciary Service Commission for the appointment of Chief Justice and selection Panel of Members IEBC commissioners on promotion, protection and fulfilment on the affirmative action and inclusion of SIGs in the recruitment process including adherence to the two thirds gender principles to ensure compliance with the Constitution.
- 2.2 Provided a framework for monitoring the implementation of voluntary 50 hours of pro bono legal services to victims of Gender Based Violence (GBV) offered by Mr. Edwin Sifuna, (the Secretary General, Orange Democratic Party (ODM) to the National Cohesion and Integration Commission (NCIC). This was based on a request by the NCIC following investigations into the political rhetoric and vulgar remarks made on December 11, 2020 by Malindi MP Hon. Aisha Jumwa and ODM Secretary-General Mr. Edwin Sifuna during the campaigns rallies held in Msambweni Constituency.
- 2.3 Facilitated discussions with the Persons with Disabilities (PWD) Caucus on key issues of inclusivity, equality and non- discrimination, participation and involvement of PWD's in public affairs within the context of the on-going constitutional reforms. These were centered on the report of the steering committee on the implementation of the Building Bridges Initiatives to a United Kenya taskforce report. In addition, the Commission facilitated workshop for women with disabilities to discuss gender and disability implications of the Building Bridges Initiatives to a United Kenya taskforce report.
- 2.4 Reviewed and submitted data and comments to the State Department for Basic Education on educational materials prepared inform of posters to support advocacy, social support and sensitization of children on matters of sexual and

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- gender based violence, and discrimination during the 2020 festive season and beyond. In addition, the Commission facilitated a session on justice and legal redress to the Special Interest Groups especially among children and women during Legal Awareness Week on 13th October 2020 at Nakuru High Court
- 2.5 Participated in a stakeholder consultative meeting organized by The Africa platform for Social Protection whose objective was to harmonize the understanding by state and non-state actors on the different approaches to the Social Assistance (Repeal) Bill 2020 and to agree on further strategies of engaging with this process. NGENC has been active in the process of shaping the legislative processes and framework governing Social Protection in Kenya.
- 2.6 In collaboration with stakeholders reviewed and gave feedback on the draft National Police Service and Ministry of Health Generated P3 form for use in the assessment of sexual and gender based violence among survivors/victims. The session was facilitated by a Forensics medical officer, who are members of the NGENC National Equality and Inclusion Technical Working Group.
- 2.7 During the period under review, the Commission pursued the following two court cases related on the violation of the principles of gender equality and freedom from discrimination. They include:
- i) HCR Petition No. 147 of 2020-Victor Lodenyo Adagula -v- Kenya Revenue Authority: This is a case where the Commission was enjoined as an Interested Party. The matter seeks to dissolve the Board of Management of KRA due to violation of the not more than two thirds gender rule in the composition of the Board. The Commission filed its papers on 23rd December 2020 and the outcomes are still pending.
  - ii) SO19/2020 Defilement case: The Matter was referred to the Commission by the POLICARE section of the National Police Service. The matter involves an alleged case of defilement by a medical doctor. The matter was coming up for taking plea taking by the accused and his bail application on 28th December 2020. The Commission urged for strong bail terms given the profession of the accused and his alleged attempts to interfere with the case. The accused was released on a Bond of KSH. 300,000 with two sureties or alternative of a cash Bail of Ksh. 100,000 with two sureties depositing their National Identity Cards, travel documents and their contact details with the Police and Judiciary.
- 2.8 In collaboration with Health Advocacy Forum (HERAF) and Open Society Initiative for Eastern Africa (OSIEA) facilitated a high level policy consultative meeting on sustainable financing of mental health services in Kenya The meeting brought together key stakeholders from diverse backgrounds to share experiences and to identify scalable lessons on sustainable financing for mental health systems in Kenya. A total of 248 stakeholders were reached during the meeting. During the forum commitments towards enactment of the Mental

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Health related laws, review of existing policies and laws and increased budget allocation for mental health services were made.

- 2.9 Assessed compliance of the Nakuru County Assembly and Kisii County Assembly with the judgement of Petition 1 of 2019 NGEC -V- Majority Leader, County Assembly of Nakuru and 4 Others; Jubilee Party and Another (Interested Parties) and Petition No. 1 of 2019- Hon. Karen Nyamaita Magara & 14 Others -v- Kisii County Assembly Service Board and 2 others respectively. The Commission facilitated the National Police Service with the launch of Policare Model Project for effective response to cases and incidences of GBV cases reported to the police.
- 2.10 Held a validation meeting of its complaints handling regulations to pave way for the gazettment and final deliberation of these rules by the national Assembly Committee for delegated legislation. The meeting was attended by 175 key stakeholders.
- 2.11 Receives complaints from the public to ensure non-discrimination and compliance with equality and inclusion principles received a total of **65** cases during the period under review. Out of which 66% were processed and resolved, the rest were referred to relevant institutions for action. This is an indication of the level of awareness on NGEC mandate in receiving and addressing complaints from the public. The complaints were different in nature including; Cash Transfer for the elderly, assault, property dispossession discrimination, and land dispute, Intimidation, defilement separation, and eviction, marital conflicts, colluding to blackmail, assault, and threats. The cases were referred to the relevant actors while others were processed by Commission's legal and investigations department.
- 2.12 Together with stakeholders from across the region also validated the NGEC complaints and handling procedures as part of enhancing the Commission's function of addressing complaints and redress in line with the commission mandate where the same regulations were tabled before the delegated committee on prepublication scrutiny where the office took part.
- 2.13 As members of the Court Users Committee, the Commission through the Garissa and Kilifi regional offices participated in the quarterly Court Users Committee (CUC) meetings. The role of the Commission in the CUC is to ensure the principles of equality, inclusion and freedom from discrimination are adhered to in court operations and procedures.
- 2.14 Conducted rapid assessments and preliminary investigations on cases of defilement and rape reported in Kangundo, Machakos County and Limuru, Kiambu County involving a minors and adolescents. The Commission will watch brief during the proceedings of these cases.

**Strategic objective 3.** To promote public awareness on principles of equality and inclusion. Under this objective, the Commission: -

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- 3.1 Held 45 theme based equality and inclusion coordination meetings in Nairobi and all the regional offices. During these meetings emerging issues in relation to special interest were discussed and strategies for addressing challenges faced by these groups formulated. Some of the issues discussed include: role of media in transforming gender norms towards achieving gender equality and freedom from discrimination, inclusion of the *Shona* community in National and County development data; emerging issues affecting SIGs during the COVID-19 pandemic and corresponding recovery process; access to justice by SIGs; and contents of the Building Bridges in respect to SIGs and across all thematic areas, Women's full and effective participation and decision-making in public life, prevention, response and management of Gender based violence, barriers and strategies for greater inclusion of SIGs among others, the *Kazi Mtaani* Programme including feedback on the performance as well as challenges encountered during implementation; strengthening the referral networks for GBV actors in the protection of SIGs, consideration of disability matters and inclusion of PWDs in development ,digital divide and how it affects meaningful participation of SIGs in empowerment programs and Mental ill-health and its differential effects to SIGs among others. In addition, the Age of Consent report was disseminated during the meetings
- 3.2 Facilitated and coordinated 2 stakeholder's forums to deliberate on the emerging issues in the context of Covid-19:
- i) Child Pregnancies: on 24th July 2020, Commission coordinated and held a high level consultative forum on Child Pregnancies in the Context of COVID-19 pandemic in Kenya.. The meeting brought together 269 stakeholders to reflect on more innovative approaches and strategies for addressing the alleged increases in child pregnancies.
  - ii) Youth Engagement in the Context of Covid- 19 Opportunities – The Commission held a high level consultative meeting with select Ministries, Counties, Departments and Agencies(MCDAs), Youth leaders, members of private sector and entrepreneurs to discuss opportunities available for greater and meaningful engagement of the Youth in development agenda during and post COVID-19 period. The forum was held on 24<sup>th</sup> August, 2020 bringing together in excess of 250 participants majority of whom were youth.
- 3.3 In collaboration with the REINVENT Programme the Commission facilitated strengthening of the Equality and Inclusion Technical Working Groups (EITWGs) forums in nine (9) counties (Kisumu, Kitui and Bungoma, (Nakuru, Tana river and Turkana, Kilifi, Garissa, and Taita Taveta). The activity was held between 2nd and 8th December, 2020. The meetings provided an opportunity for cross-learning of ideas and reflecting on innovative strategies for addressing challenges and opportunities for greater engagement of SIG's in the county and national development priorities. The Commission also launched and disseminated the guidelines on the establishment and management of the Equality and Inclusion Technical Working Groups in the nine counties

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- 3.4 Held a consultative meeting in Nairobi with representatives of the *Shona* Community. During the meeting emerging issues in relation to minority groups were discussed and strategies for addressing challenges faced by these groups formulated. Some of the issues discussed were: the need to ensure inclusion of the Shona community in National and County development data and need for public education programmes among the Community to enlighten them on their rights, responsibilities and opportunities available both in national and County Governments among others.
- 3.5 Facilitated SIGs commemorate thirteen (13) International days. During the commemorations, the Commission issued statements pointing out key priority areas affecting the SIGs in line with the theme of the celebration for consideration by the government and SIGs themselves. In addition, the Commission facilitated public education on their rights and opportunities for SIGs at both County and national Government levels. During the commemorations, the Commission issued statements pointing out key priority areas affecting the various categories of SIGs in line with the key objectives of the different days. They include:
- i) International Day of Older members of society commemorated on 1<sup>st</sup> October, 2020. The theme for 2020 was *'Pandemics: Do They Change How We Address Age and Ageing?'*
  - ii) 2020 International Rural Women Day held on 15<sup>th</sup> October, 2020 under the theme, *'Building rural women's resilience in the wake of COVID-19'*
  - iii) 2020 International Day for Persons with Disabilities held on 3<sup>rd</sup> December, 2020
  - iv) International White cane Safety Day on 15<sup>th</sup> October, 2020. The theme was *"Achieving sustainable development Goals for the blind"*
  - v) International Day of Girl Child 2020 themed "My Voice, Our Equal Future" on 12<sup>th</sup> October, 2020
  - vi) Day of Zero tolerance to FGM, March
  - vii) International women's day, March, 8
  - viii) Day of the African Child, June, 16
  - ix) UN International Day of Families
  - x) The World Elder Abuse Day, June ,15
  - xi) International Missing Children's Day
  - xii) 16 days of activism against GBV, 2020 themed *"Orange the World: Fund, Respond, Prevent, Collect!"* 25<sup>th</sup> November, 2020 – 10<sup>th</sup> December, 2020.
- 3.7 With support from the Sisters Maternity Home (SIMAHO) Garissa, the Commission through the Garissa regional Office in collaboration with other stakeholders facilitated the public education forum on a Programme *'Know your rights campaign'* for Persons living with HIV (PLHIVs) including young adults. The objective of the forum was to inform the public on the forms of violence, punitive laws affecting HIV services, PLHIVs rights to health services, role of police in HIV mitigation, role of paralegals and other human rights watch in fighting HIV stigma. The Commission also facilitated in a public education forum on reporting and referral pathways to GBV cases in Nakuru, County. The forum



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- was convened following rising cases of rape and defilement at Dundori sub-County.
- 3.8 The Commission through the Kisumu regional office facilitated a multi-sectoral approach training in Kisumu East, Seme and Muhoroni sub-counties. The objective of the forum was to train Equality and Inclusion Technical Working Group members on multi-sectoral approach in addressing gender issues and concerns in Kisumu County.
  - 3.9 In collaboration with the Humanity Inclusion the Commission facilitated strengthening of the Equality and Inclusion Technical Working Groups (EITWGs) forums in five (5) counties, (Kilifi, Vihiga, Nyahuru, Wajir and Isiolo). The other activities included: Dissemination of the County Model Policy and legal framework on Sexual Gender Based Violence; Support of grassroots movements and grassroots leaders to advocate for the realization of not more than two-thirds gender principle, holding a dialogue forum with male opinion leaders to hold men accountable and support and promote women leadership. The activities are part of the larger project funded by the European Union and implemented by NGEC and Humanity Inclusion to enhance the capacity of institutions and organizations to promote gender sensitive governance and development in Kenya.
  - 3.10 Monitored the distribution of dignity kits to boys and girls in 4 Secondary and 3 Primary schools in Kalama and Masinga sub-counties, Machakos County. A total of 147 boys and 148 girls were issued with the dignity kits and offered mentorship session. The commission also conducted a rapid assessment on the levels of preparedness of the schools to integrate inclusion and equity in their infrastructure. Case studies on this theme were documented from Ianzoni Primary School and Kangonde Secondary School.
  - 3.11 Through the Kitui Regional office contributed to the content of a workshop on the economic empowerment of women through Climate Smart Agriculture in Arid and Semi-arid areas. The workshop sought to enhance the engagement of women in agricultural training to improve their livelihood.
  - 3.12 Facilitated Public Education programs in nine (9) counties to raise awareness among special interest groups on detecting and reporting violations on right to equality and freedom from discrimination focusing on NGEC online enabled complaints management system and rights of SIGS during emergencies. The program covered Busia, Kakamega, Trans Nzoia, Homabay, Nyeri, Laikipia, Nakuru, Embu and Tharaka Nithi.
  - 3.13 Through the Garissa office and in collaboration with the State Department of Gender Affairs and Anti-FGM Board held a conference that brought together law enforcement officers and actors in the criminal justice sector to discuss best practices towards ending Female Genital Mutilation and child marriage in Garissa county. The Commission through the Kisumu office in collaboration with Amref Health Africa, facilitated the training of Community Paralegals on

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protection of the rights of women and girls, and enhancing access to justice in Kenya.

- 3.14 Held consultations with the National Assembly Committee on Delegated Legislation about the draft National Gender and Equality Commission's Complaints Handling Practice Regulations, 2021 being part of the pre-publication scrutiny of the regulations.
- 3.15 Participated and contributed in the panel discussion on: The shadow Pandemic-Key innovations for managing GBV during the COVID-19 pandemic during the MAISHA conference organised by the National AIDS Control Council, NASCOP and other partners. The Conference is organised every two years to review scientific knowledge that translated into policy and practice.
- 3.16 Participated and contributed in the CSW Mashinani dubbed "bringing the 65th session of CSW home" in Kericho County. NGECC participated and facilitated a session on Strides Towards Inclusivity in Political and Decision Making. Further the Commission participated and contributed in the 25th ICS annual international conference as panelists.
- 3.17 Finalized development of educational materials leveraging socializing agents to mitigate violence against women and girls (VAWG), and other vulnerable groups.

**4.0 Strategic Objective 4:** To increase evidence-based knowledge on issues of equality and inclusion through research and knowledge management; the Commission:

- 4.1 In collaboration with Equality Now facilitated a two-day stakeholder's workshop in Naivasha, Nakuru County. The objective of the forum was to review and give sector specific inputs to the 2nd Edition of the National Monitoring and Evaluation Framework Towards Prevention and Response to Gender Based Violence in Kenya. Participants were drawn from both state and non-state actors with greater responsibility in the prevention and response to GBV.
- 4.2 Facilitated the Kenya National Bureau of Statistics and the UN Women in development and launch of the Gender Sector Statistics Plan 2019-2023. The plan was developed to inform the country of the strategic processes for planning, generating and using gender statistics to inform programs and policies.
- 4.3 As a member of the technical committee responsible for generating gender disaggregated data to inform engendered COVID-19 programs, the Commission facilitated the conceptualization, design, execution, analysis, development of the study report and launch of the Assessment of Effects of Covid-19 Pandemic on Women and Girls in Kenya, 2020. The study conducted by among other agencies NGECC, State Department for Gender, KIPPRA in collaboration with UN Women, UNICEF and OXFAM. The report shall inform gender based management of the second wave of COVID-19 and post COVID-19 recovery strategies at national and county levels.

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- 4.4 Trained 78 members staff on research methods, data collection tools and processes for the national assessment on the uptake of green energy in Kenya. In addition, the Commission undertook a pre-test on the assessment data collection methods and tools and commenced initial data collection in four counties: Kajiado, Kiambu, Machakos and Murang'a.
- 4.5 Contributed to the development of a result-based action plan to strengthen human resources and skills to address climate change in Kenya. This is part of the process of the development of the National Climate Change Learning Strategies.
- 4.6 As a member of the Inter-Agency Gender Statistics Committee, the Commission contributed in the development of a draft gender dimensions' monograph derived from the further analysis of the 2019 Kenya Population and Housing Census (KPHC). The main objective of the monographs is to unmask gender dimension in the analysis of the selected topical issues on fertility, mortality, migration, marriage, households and families, education and literacy, labour force participation, disability, and Information, Communication and Technology. The gender dimension monograph is expected to evaluate the relative differences among women, men, girls and boys in order to uncover the personal achievements and their access to services; carry out multivariate analysis in order to capture relations that may not be visible if using sex-disaggregated data only, generate appropriate indicators for sensitizing stakeholders on the need and importance of sex-disaggregated data for policy formulation and decision making, and identify areas in which new data need to be collected in order to fully grasp elements of gender inequality
- 4.7 Contributed to the validation process of the 2021 Economic Survey developed by the Kenya National Bureau of Statistics. The Commission is keen to ensure gender dimensions in all economic sectors are documented.
- 4.8 As a member of the steering committee and technical committee for the design and implementation of the 2021 Kenya Demographic Health Survey convened by the Kenya National Bureau of Statistic, the Commission contributed in content of the survey tools and survey processes.
- 4.9 As a member of the technical committee planning for the 2021 children devolution conference and 7<sup>th</sup> Devolution Conference convened by the Council of Governors. The Commission has taken leadership in the design of the breakaway session during the main conference to discuss key issues on gender and climate change. The main theme of the 7<sup>th</sup> devolution conference is Multi – Level Governance for Climate Action while the sub theme is Sub-National Mobilization in Unlocking the Full Potential of Climate Action in the Post- Covid-19 pandemic.
- 4.10 In collaboration with UNDP and other stakeholders facilitated the development of Gender and Indigenous action plans to ensure integration of the principles of equality and inclusion (of minority and marginalized groups) in the implementation of the global environmental initiatives branded Reducing

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Emissions from Deforestation and Forest Degradation, and the role of conservation, sustainable management of forests, (REDD+) in Kenya. The inaugural meeting towards the development of the action plan commenced in June 2021.

- 4.11 Participated and contributed in a two-day workshop on National Widows Economic Empowerment organized The Unclaimed Assets Authority (UFAA) to design a Corporate Social Responsibility (CSR) Program to benefit widows. The Commission ensured the integration of the principles of equality and inclusion in the design of the program.
- 4.12 Presented a paper to the Selection Panel for the Appointment of Members of the Independent Electoral and Boundaries Commission (IEBC) on effective management of elections: the perspective from election observers.
- 4.13 In its efforts to address the emerging issues on land and natural resource management among minority and marginalized groups, the Commission facilitated a virtual expert forum on 29<sup>th</sup> September, 2020. The forum was designed to ignite a conversation among experts in land and natural resources with a focus on rights and obligations of minority and marginalized groups in Kenya on land and natural resource management.
- 4.14 Conducted an assessment on the effects of COVID-19 pandemic on older members of society. The assessment was done in 10 counties – Nairobi, Narok, Kiambu, Nakuru, Kisumu, Kilifi, Garissa, Kitui, Machakos and Makueni.
- 4.15 Participated in a virtual forum on data demand and data utilization. The object of the forum is to consolidate efforts to advocate for and mobilize stakeholders around a common agenda on the publication, use of data and evidence responding to the set-out development agenda.
- 4.16 Facilitated review of sector specific indicators for 4 (Judiciary, ODDP, NPS, education), institutions on 2<sup>nd</sup> Edition of the National Monitoring and Evaluation Framework towards Prevention and Response to Gender Based Violence in Kenya.
- 4.17 Contributed in the validation meeting of the Kenya National Climate Change Learning Strategy. The Climate Change Learning Strategy seeks to systematically analyze existing policies and initiatives around climate change learning, assess the needs and capacities of national institutions to deliver climate change learning, and create strategic entry points for measurable and impactful actions that will enhance individual, institutional and systemic capacity on climate change.
- 4.18 Participated and contributed to several researches on the issues of SIGs:
  - a) Study on Women in Manufacturing Sector as key informants also in the dissemination of the research findings of the study. The dissemination was held on 25<sup>th</sup> May, 2021.

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- b) Study on Sexual Harassment in Kenyan Public Transport: Nairobi County as a key informant and also in the dissemination of the findings of the study
- c) Research on the assessment of Implementation of the United Nations' Sustainable Development Goal 5 in Kenya's Maritime Security Enforcement Sector as key informants and also in the dissemination of the research findings of the study.
- d) KEPSA study on GBV and its impact on productivity as key informants

#### **5.0 Strategic objective: Institutional Capacity**

Held meetings with representatives from the World Bank group to discuss collaborating together towards the development of a National Inclusive Development Framework on 16th June 2021. Further the Commission has held meetings with several partners including ID insight, Colleges Institutes Canada (CICAN), MasterCard Foundation, Publish What you Fund, The Abdul Latif Jameel Poverty Action Lab, Poverty Innovation Action, Niko Green, towards forging common areas of partnership.

#### **Emerging Issues**

- i) High demand for social safety programs due to increased vulnerability of women, youth, older members of the society, PWD and marginalized groups
- ii) Increased violation of principles of equality and inclusion in both private and public sphere with high incidence reported among children, older members of the society, minorities and persons with disabilities.
- iii) Need for coordinated response to vulnerability of special interest groups on the following: Disasters, erratic climate changes, energy and infrastructure projects that displace population.

#### **Challenges**

The following challenges weighed heavily on the Commission's effort to effectively deliver on its strategic interventions:

- (i) COVID -19 pandemic disrupted the implementation of Commission activities.
- (ii) **Budgetary constraints:** Inadequate funding coupled with budget cuts which resulted in inability to effectively discharge its mandate. Due to the inadequate budget, 90% of the available budget is consumed by salaries, rent and other mandatory costs, leaving only 10% for programmatic work that is directly linked with our mandate.
- (iii) Under staffing of professional/technical levels hampered effective service delivery.
- (iv) Inability to fully operate regional field offices due to limited resources.
- (v) Inadequate vehicles for operational activities both in headquarters and the regional offices



**Dr. Joyce Mwikali Mutinda, PhD**  
**Commission Chairperson**

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### **III. STATEMENT OF PERFORMANCE AGAINST PREDETERMINED OBJECTIVES**

Section 81 (2) (f) of the Public Finance Management Act, 2012 requires that, “at the end of each financial year, the Accounting officer when preparing financial statements of each National Government entity in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board includes a statement of the National Government entity’s performance against predetermined objectives”.

The key objectives of the Commission’s Strategic Plan 2019-2024 are to:

- a) To enhance and monitor compliance with the principles of equality and inclusion in State and non-state actors
- b) To reduce violations of the principle of equality and freedom from discrimination for the SIGs
- c) To promote public awareness on principles of equality and inclusion
- d) To promote implementation of affirmative action and inclusion of SIGs in development agenda
- e) To increase evidence-based knowledge on issues of equality and inclusion through research and knowledge management
- f) To attract, develop and retain skilled and productive human capital
- g) To enhance organizational capacity, effectiveness and efficiency
- h) To strengthen corporate governance and stakeholder involvement
- i) To strengthen financial capacity of the Commission
- j) To acquire and maintain appropriate infrastructure and assets

For purposes of implementing and cascading the above development objectives to specific sectors, all the development objectives were made Specific, Measurable, Achievable, Realistic and Time-bound (SMART) and converted into development outcomes. Attendant indicators were identified for reasons of tracking progress and performance measurement: Below we provide the progress on attaining the stated objectives:



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Programme	Strategic Objective	Outcome	Target	Achievement	Remarks on Performance
SP1. Legal Compliance and Redress	Convention and treaties complied with by Kenya	No. reports on compliance prepared and defended	4	5	The Commission collaborated with stakeholders facilitated and contributed to preparation of 7 Country Compliance reports - ICERD, ICCPR, ICESCR (International Covenant on Economic, Social and Cultural Rights).  The Commission participated in the 65 <sup>th</sup> Session of CSW virtually, Due to COVID-19 travel restrictions there was no attendance to treaty sessions, CEDAW, SDG
	Legislative instruments reviewed and submitted to Parliament and County Assemblies	No. of legal, policy and administrative instruments reviewed at the National level No. of legal, policy and administrative instruments reviewed at the County level	32 18	49 20	Target exceeded, reviews are supply driven.  Reviews are supply driven. Target met
	Complaints processed	% complaints processed	100	100	Commission received a total of 69 complaints. All received complaints were processed.  In addition the Commission held public participation forum and validation meeting of NGECC Complaints Handling and Procedures Regulation

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	Public interest litigation cases filed	No. of court cases	1	2	Target achieved
<b>SP2. Mainstreaming and Coordination</b>	Public sensitized on two thirds gender principle and participation of SIGs in county development	No. of counties audited for compliance with requirements for participation of SIGs in the development agenda	6	6	Target achieved HCR Petition No. 147 of 2020- Victor Lodenyo Adagua -v- Kenya Revenue Authority: SO19/2020 Defilement case: The activity is resource intensive; The Commission in collaboration with Humanity Inclusion held dialogue forums with grassroots leaders to advocate for the realization of not more than two-thirds gender principle and with male opinion leaders to hold men accountable and support and promote women leadership in Kilifi, Vihiga, Nyahururu, Wajir and Isiolo
	Gender and special interest groups mainstreamed in public service	No. Coordination forums	32	45	Target exceeded due to collaboration with other stakeholders. The budget cuts have affected the effective facilitation of coordination forums by the Commission.
	Affordable green energy adopted by SIGs	No. of agencies complying with gender and inclusion requirements No. of audit reports on uptake of green energy	200 1	256 -	Target exceeded. Increase in the number of MDAs reporting as a result of the reinstatement of Gender mainstreaming indicators in the PCG 2020/2021. The project has stalled due budget rationalization - All the green energy funds were slashed in second quarter. The activity is resource intensive and involves collection of data in various counties.
	SIG issues mainstreamed in public transport	No. of audit reports on public transport system	3	-	Target not met, no budget to implement the activity. Activity is resource intensive
<b>SP3. Public education, advocacy,</b>	Public awareness on equality and	No. of fora on public awareness on equality and inclusion held	2,500,000	3,000,000	Target met

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<b>and research</b>	inclusion conducted	No. IEC materials developed and distributed	1	0	Numbers reached as a result of collaboration with other stakeholders during International day commemorations and virtual meetings. Public education forums were and media platforms
		Research undertaken on topical issues	2	3	Not achieved due to budget cuts. Target met through collaboration with partners. Two Research on the impact of COVID-19 on older members of society, women and girls. One data collection on child pregnancies in 47 counties
<b>SP4. Headquarter Administrative Services</b>	Human Resource Management services	No. of staff trained	104	78	Training of Data collection in the green energy project
	Financial services	% of budget utilization	100	94%	% Absorbed
		Financial statements done and submitted	100	100%	Complied with set timelines
	Information communication and technology services	No. of diversified Communication systems	1	1	Target achieved, collaborated with IDLO

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#### **IV. CORPORATE SOCIAL RESPONSIBILITY STATEMENT/ SUSTAINABILITY REPORTING**

The National Gender and Equality Commission recognizes that it is accountable to stakeholders, the society and the (our) environment in achieving a sustainable society in Kenya. As a Commission, we acknowledge our responsibility to the environment and the (to our) local communities in which we operate in/co-exist. We aim to embrace responsibility for corporate actions and to encourage a positive impact on the environment and the stakeholders including but not limited to our employees, special interest groups (women, children, youth, Persons with Disabilities (PWDs), older members of society, minority and marginalized groups).

The Commission actively encourages its staff to recognise these responsibilities and behave in a responsible manner towards the society in which it carries out its functions. Below are some examples of how the Commission and its staff have shown commitment to practice responsible corporate behavior, establish and support initiatives that aid Corporate Social Responsibility:

##### **Environment**

The Commission is currently implementing a project with funding from the National Government to assess the uptake and effect of selected forms of green energy on the special interest groups. The assessment will create awareness and statistics to assist policymakers regarding uptake of green energy.

##### **Employees**

Our success as a Commission is largely dependent on the human capital (people).

- We seek to recruit, retain, reward and develop the best talent in the Commission.
- We recognise the need to inculcate among our employees the culture of being sensitive to matters of safety, security, society and the environment. This ensures that employees act with integrity and responsibility with the people they deal with and the environment they interact with.
- Further, we continually seek to improve the welfare and skills of our employees through structured programs for personal and professional development.
- We actively seek to ensure gender parity and where possible recruit persons with disability and from the minority groups of our society.

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**V. STATEMENT OF ENTITY MANAGEMENT  
RESPONSIBILITIES**

Section 81 (1) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting Officer for a National Government Entity shall prepare financial statements in respect of that entity. Section 81 (3) requires the Financial Statements so prepared to be in a form that complies with relevant Accounting Standards as prescribed by the Public Sector Accounting Standards Board of Kenya from time to time.

The Accounting Officer in charge of the National Gender and Equality Commission is responsible for the preparation and presentation of the entity's Financial Statements, which give a true and fair view of the state of affairs of the entity for and as at the end of the financial year (period) ended on June 30, 2021. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the entity; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the entity; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Accounting Officer in charge of the National Gender and Equality Commission accepts responsibility for the entity's Financial Statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS). The Accounting Officer is of the opinion that the entity's financial statements give a true and fair view of the state of the entity's transactions during the financial year ended June 30, 2021, and of the entity's financial position as at that date. The Accounting Officer in-charge of the National Gender and Equality Commission further confirms the completeness of the accounting records maintained for the entity, which have been relied upon in the preparation of the entity's financial statements as well as the adequacy of the systems of internal financial control.

The Accounting Officer in charge of the National Gender and Equality Commission confirms that the entity has complied fully with applicable Government Regulations and the terms of external financing covenants (where applicable), and that the entity's funds received during the year under audit were used for the eligible purposes for which they were intended and were properly accounted for. Further the Accounting Officer confirms that the entity's Financial Statements have been prepared in a form that complies with relevant accounting standards prescribed by the Public Sector Accounting Standards Board of Kenya.

**Approval of the Financial Statements**

The entity's financial statements were approved and signed by the Accounting Officer on  
30<sup>th</sup> September, 2021

  
Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO

  
CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229



## REPUBLIC OF KENYA

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NAIROBI

## REPORT OF THE AUDITOR-GENERAL ON NATIONAL GENDER AND EQUALITY COMMISSION FOR THE YEAR ENDED 30 JUNE, 2021

### PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure Government achieves value for money and that such funds are applied for intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment, and the internal controls developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

### REPORT ON THE FINANCIAL STATEMENTS

#### Opinion

I have audited the accompanying financial statements of National Gender and Equality Commission set out on pages 43 to 57, which comprise of the statement of assets and

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*Report of the Auditor-General on National Gender and Equality Commission for the year ended 30 June, 2021*



liabilities as at 30 June, 2021, and the statement of receipts and payments, statement of cash flows and summary statement of appropriation - recurrent and development combined for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, the financial statements present fairly, in all material respects, the financial position of National Gender and Equality Commission as at 30 June, 2021, and of its financial performance and of its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the National Gender and Equality Commission Act, 2011 and the Public Finance Management Act, 2012.

#### **Basis for Opinion**

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the National Gender and Equality Commission Management in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

#### **Key Audit Matters**

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. There were no key audit matters to report in the year under review.

#### **Other Matter**

##### **Pending Bills**

As disclosed under Note 13 to the financial statements, the Commission had pending bills totalling Kshs.962,325 as at 30 June, 2021 that were not settled during the financial year 2020/2021 but were instead carried forward to 2021/2022. Management attributed the delay in settlement of pending bills to late submission of invoices and late supply of goods and services. Failure to settle bills during the year to which they relate adversely affects the provisions of the subsequent year to which they have to be charged.

#### **REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES**

##### **Conclusion**

As required by Article 229(6) of the Constitution, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

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*Report of the Auditor-General on National Gender and Equality Commission for the year ended 30 June, 2021*

**Basis for Conclusion**

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

**REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE****Conclusion**

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and governance were not effective.

**Basis for Conclusion**

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal control, risk management and overall governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

**Responsibilities of Management and those Charged with Governance**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and governance.

In preparing the financial statements, Management is responsible for assessing the Commission's ability to continue to sustain services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless the Management is aware of the intention to terminate the Commission or to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

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*Report of the Auditor-General on National Gender and Equality Commission for the year ended 30 June, 2021*



Those charged with governance are responsible for overseeing the financial reporting process, reviewing the effectiveness of how the Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

#### **Auditor-General's Responsibilities for the Audit**

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:


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*Report of the Auditor-General on National Gender and Equality Commission for the year ended 30 June, 2021*

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
  - Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
  - Conclude on the appropriateness of the Management's use of the applicable basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Commission to cease to continue to sustain its services.
  - Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
  - Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Commission to express an opinion on the financial statements.
- 
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide Management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.

  
CPA Nancy Gathungu, CBS  
**AUDITOR-GENERAL**

Nairobi

14 April, 2022

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*Report of the Auditor-General on National Gender and Equality Commission for the year ended 30 June, 2021*

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**VI. STATEMENT OF RECEIPTS AND PAYMENTS FOR THE  
YEAR ENDED 30<sup>TH</sup> JUNE, 2021**

	Note	2020- 2021	2019- 2020
		Kshs	Kshs
<b>RECEIPTS</b>			
Transfers from National Treasury	1	353,439,707	375,712,646
Other Revenues	2	-	10,640,300
<b>TOTAL REVENUES</b>		<b>353,439,707</b>	<b>386,352,946</b>
<b>PAYMENTS</b>			
Compensation of Employees	3	222,192,633	207,435,262
Use of goods and services	4	120,734,762	141,575,689
Social Security Benefits	5	7,000,000	24,746,161
Acquisition of Assets	6	3,380,429	2,361,704
<b>TOTAL PAYMENTS</b>		<b>353,307,823</b>	<b>376,118,816</b>
<b>SURPLUS/DEFICIT</b>		<b>131,884</b>	<b>10,234,130</b>

The accounting policies and explanatory notes to these Financial Statements form an integral part of the Financial Statements. The entity financial statements were approved on 30<sup>th</sup> September, 2021 and signed by:



Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO



CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

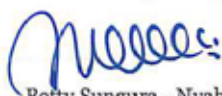


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**VII. STATEMENT OF ASSETS AND LIABILITIES AS AT 30<sup>TH</sup>  
JUNE, 2021**

	Note	2020- 2021	2019- 2020
		Kshs	Kshs
<b>FINANCIAL ASSETS</b>			
Cash and Cash Equivalents			
Bank Balances	7	24,839,253	21,061,595
<b>Total Cash And Cash Equivalents</b>		<b>24,839,253</b>	<b>21,061,595</b>
Accounts Receivables - Outstanding Imprest and Clearance Accounts		-	-
<b>TOTAL FINANCIAL ASSETS</b>		<b>24,839,253</b>	<b>21,061,595</b>
<b>LESS: FINANCIAL LIABILITIES</b>			
Accounts Payables – Deposits	8	13,940,473	10,078,206
<b>NET FINANCIAL ASSETS</b>		<b>10,898,781</b>	<b>10,983,389</b>
<b>REPRESENTED BY</b>			
Fund balance b/fwd	9	10,983,389	749,257
Prior year adjustments	10	(216,492)	-
Surplus/Deficit for the year		131,884	10,234,130
<b>NET FINANCIAL POSITION</b>		<b>10,898,781</b>	<b>10,983,389</b>

The accounting policies and explanatory notes to these Financial Statements form an integral part of the Financial Statements. The entity financial statements were approved on <sup>30<sup>th</sup></sup>..... September, 2021 and signed by:



Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO



CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229



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VIII. STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH  
JUNE, 2021

	Note	2020- 2021	2019- 2020
		Kshs	Kshs
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>			
<b>Receipts for operating income</b>			
Transfers from National Treasury	1	353,439,707	375,712,646
Other Revenues	2	-	10,640,300
		<b>353,439,707</b>	<b>386,352,946</b>
<b>Payments for operating expenses</b>			
Compensation of Employees	3	222,192,633	207,435,262
Use of goods and services	4	120,734,762	141,575,689
Social Security Benefits	5	7,000,000	24,746,161
		<b>349,927,394</b>	<b>373,757,112</b>
<b>Adjusted for:</b>			
Decrease/(Increase) in Accounts receivable: (outstanding imprest)		-	-
Increase/(Decrease) in Accounts Payable: (deposits and retention)	11	3,862,267	(42,893,275)
Prior Year Adjustments	10	(216,492)	-
		<b>7,158,087</b>	<b>30,297,440</b>
<b>CASHFLOW FROM INVESTING ACTIVITIES</b>			
Acquisition of Assets	6	(3,380,429)	(2,361,704)
<b>Net cash flows from Investing Activities</b>		<b>(3,380,429)</b>	<b>(2,361,704)</b>
<b>CASHFLOW FROM BORROWING ACTIVITIES</b>			
<b>Net cash flow from financing activities</b>		<b>-</b>	<b>-</b>
<b>NET INCREASE IN CASH AND CASH EQUIVALENT</b>			
		<b>3,777,658</b>	<b>32,659,144</b>
Cash and cash equivalent at BEGINNING of the year		21,061,595	53,720,758
Cash and cash equivalent at END of the year		<b>24,839,253</b>	<b>21,061,595</b>

The accounting policies and explanatory notes to these Financial Statements form an integral part of the Financial Statements. The entity Financial Statements were approved on <sup>30th</sup>..... September, 2021 and signed by:

  
Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO

  
CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

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**IX. SUMMARY APPROPRIATION: RECURRENT AND DEVELOPMENT COMBINED FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2021**

Revenue/Expense Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilisation Difference	% of Utilisation Difference to Final Budget
	a	b	c=a+b	d	e=c-d	f=d/c %
<b>RECEIPTS</b>						
Exchequer releases	374,886,737	-	374,886,737	353,439,707	21,447,030	94%
<b>Total Receipts</b>	<b>374,886,737</b>	<b>-</b>	<b>374,886,737</b>	<b>353,439,707</b>	<b>21,447,030</b>	<b>94%</b>
<b>Payments</b>						
Compensation of Employees	222,330,000	-	222,330,000	222,192,633	137,368	100%
Use of goods and services	129,363,763	-	129,363,763	120,734,762	8,629,001	93%
Social Security Benefits	7,000,000	-	7,000,000	7,000,000	-	100%
Acquisition of Assets	16,192,974	-	16,192,974	3,380,429	12,812,546	20% (a)
<b>Grand Total</b>	<b>374,886,737</b>	<b>-</b>	<b>374,886,737</b>	<b>353,307,823</b>	<b>21,578,914</b>	<b>94%</b>
<b>Surplus/Deficit</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>131,884</b>	<b>(131,884)</b>	

Acquisition of assets (a) achieved absorption of 20%. Procurement of goods/services was not completed due to challenges brought about by Covid-19.

The entity Financial Statements were approved on <sup>20<sup>th</sup></sup>..... September, 2021 and signed by:



Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO



CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

National Gender and Equality Commission Reports and Financial Statements  
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**X. SUMMARY STATEMENT OF APPROPRIATION: RECURRENT FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2021**

Revenue/Expense Item	Original Budget a	Adjustments b	Final Budget e=a+b	Actual on Comparable Basis d	Budget Utilisation Difference e=c-d	% of Utilisation f=d/c %
<b>RECEIPTS</b>						
Exchequer releases	372,012,737	-	372,012,737	353,439,707	18,573,030	95%
<b>Total Receipts</b>	<b>372,012,737</b>	<b>-</b>	<b>372,012,737</b>	<b>353,439,707</b>	<b>18,573,030</b>	<b>95%</b>
<b>Payments</b>						
Compensation of Employees	222,330,000	-	222,330,000	222,192,633	137,368	100%
Use of goods and services	126,489,763	-	126,489,763	120,734,762	5,755,001	95%
Social Security Benefits	7,000,000	-	7,000,000	7,000,000	0	100%
Acquisition of Assets	16,192,974	-	16,192,974	3,380,429	12,812,546	21%
<b>Grand Total</b>	<b>372,012,737</b>	<b>-</b>	<b>372,012,737</b>	<b>353,307,823</b>	<b>18,704,914</b>	<b>95%</b>
Surplus/Deficit	-	-	-	131,884	(131,884)	

The entity Financial Statements were approved on <sup>30<sup>th</sup></sup>..... September, 2021 and signed by:

*Betty*

Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO

*Joseph M. Ndiku*

CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229



National Gender and Equality Commission Reports and Financial Statements  
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**XI. SUMMARY STATEMENT OF APPROPRIATION: DEVELOPMENT FOR THE YEAR ENDED  
30<sup>TH</sup> JUNE, 2021**

Revenue/Expense Item	Original Budget a	Adjustments b	Final Budget c=a+b	Actual on Comparable Basis d	Budget Utilisation Difference e=d-c	% of Utilisation Difference to Final Budget f=d/c %
RECEIPTS						
Exchequer releases	2,874,000	-	2,874,000	-	2,874,000	0%
Total Receipts	2,874,000	-	2,874,000	-	2,874,000	0%
PAYMENTS						
Use of goods and services	2,874,000	-	2,874,000	-	2,874,000	0%
Grand Total	2,874,000	-	2,874,000	-	2,874,000	0%
Surplus/Deficit	-	-	-	-	-	-

There was no absorption in regards to the budget of Kes 2,874,000 for UNFPA as the actual funds had not been received as at the closure of the Financial Year.

The entity Financial Statements were approved on <sup>20<sup>th</sup></sup>..... September, 2021 and signed by:

  
Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO

  
CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

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**XII. BUDGET EXECUTION BY PROGRAMMES AND SUB-PROGRAMMES**

Programme/Sub-programme	Original Budget	Adjustments	Final Budget	Actual on	Budget
	2020/21		2020/21	comparable basis	utilization
	Kshs	Kshs	Kshs	30th June, 2021	difference
Promotion of Gender Equality and Freedom from Discrimination	374,886,737	-	374,886,737	351,529,271	23,357,466
Legal Compliance and Redress	14,110,839	-	14,110,839	12,382,797	1,728,042
Mainstreaming and Coordination	10,816,277	-	10,816,277	6,932,101	3,884,176
Public Education, Advocacy, and Research	12,638,187	-	12,638,187	11,622,071	1,016,116
General Administration Planning and Support Services	337,321,434	-	337,321,434	322,370,854	14,950,580
<b>TOTAL</b>	<b>374,886,737</b>	<b>-</b>	<b>374,886,737</b>	<b>353,307,823</b>	<b>21,578,914</b>

The entity Financial Statements were approved on <sup>30th</sup>..... September, 2021 and signed by:

  
Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO

  
CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

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### XIII. SIGNIFICANT ACCOUNTING POLICIES

The principle accounting policies adopted in the preparation of these financial statements are set out below:

**1. Statement of compliance and basis of preparation**

The financial statements have been prepared in accordance with Cash-basis IPSAS financial reporting under the cash basis of Accounting, as prescribed by the PSASB and set out in the accounting policy notes below.

This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits and retentions. The receivables and payables are disclosed in the Statement of Assets and Liabilities. The Statement of Assets and Liabilities is not mandatory statement under the IPSAS Cash basis but is encouraged in order to disclose information on assets and liabilities.

**2. Reporting Currency**

The financial statements are presented in Kenya Shillings, which is the functional and reporting currency of the entity and all values are rounded to the nearest Kenya Shilling.

**3. Reporting entity**

The Financial Statements are for National Gender and Equality Commission. The Financial Statements encompass the reporting entity as specified under section 81 of the PFM Act 2012. There are no development projects implemented by the entity.

**4. Significant Accounting Policies**

The accounting policies adopted have been consistently applied to all the years presented. The policies are as explained below:

**a) Recognition of receipts**

The Entity recognizes all receipts from the various sources when the event occurs and the related cash has actually been received by the entity

**Transfers from the Exchequer**

Transfer from Exchequer is recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving entity.

**External Assistance**

External assistance is received through grants and loans from multilateral and bilateral development partners.

**Donations and grants**

Grants and donations shall be recognized in the books of accounts when cash is received. Cash is considered as received when a payment advice is received



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by the recipient entity or by the beneficiary. In case of grant/donation in kind, such grants are recorded upon receipt of the grant item and upon determination of the value. The date of the transaction is the value date indicated on the payment advice.

**b) Recognition of payments**

The entity recognises all expenses when the event occurs and the related cash has actually been paid out by the entity.

**Compensation of employees**

Salaries and Wages, Allowances, Statutory Contribution for employees are recognized in the period when the compensation is paid.

**Use of goods and services**

Goods and services are recognized as payments in the period when the goods/services are consumed and paid for. Such expenses, if not paid during the period where goods/services are consumed, shall be disclosed as pending bills

**Acquisition of fixed assets**

The payment on acquisition of property plant and equipment items is not capitalized. The cost of acquisition and proceeds from disposal of these items are treated as payments and receipts items respectively. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration and the fair value of the asset can be reliably established, a contra transaction is recorded as receipt and as a payment.

A fixed asset register is maintained by each public entity and a summary provided for purposes of disclosure. This summary is disclosed as an annexure to the entity's financial statements.

**5. Cash and cash equivalents**

Cash and cash equivalents comprise of cash at bank in the deposit and Recurrent Bank account at the Central Bank of Kenya. It also comprises cash received from development partners.

**6. Accounts Receivable**

For the purposes of these financial statements, imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year are treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as payments when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

**7. Accounts Payable**

For the purposes of these financial statements, deposits and retentions held on behalf of third parties have been recognized on an accrual basis (as accounts payables). This is in recognition of the government practice of retaining a portion of contracted services and works pending fulfilment of obligations by the contractor and to hold deposits on behalf of third parties. This is an enhancement to the cash

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accounting policy adopted by National Government Ministries and Agencies. Other liabilities including pending bills are disclosed in the financial statements.

**8. Pending Bills**

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they are recorded as 'memorandum' or 'off-balance' items to provide a sense of the overall net cash position of the Entity at the end of the year. When the pending bills are finally settled, such payments are included in the Statement of Receipts and Payments in the year in which the payments are made.

**9. Budget**

The budget is developed on a comparable accounting basis (cash basis except for imprest and deposits, which are accounted for on an accrual basis), the same accounts classification basis, and for the same period as the financial statements. The original budget was approved by Parliament on June 2020 for the period 1<sup>st</sup> July 2020 to 30<sup>th</sup> June 2021 as required by Law and there were two supplementary adjustments to the original budget during the year.

A comparison of the actual performance against the comparable budget for the financial year under review has been included in the financial statements.

Government Development Projects are budgeted for under the MDAs but receive budgeted funds as transfers and account for them separately. These transfers are recognised as inter-entity transfers.

**10. Comparative Figures**

Where necessary, comparative figures for the previous financial year have been amended or reconfigured to conform to the required changes in presentation.

**11. Subsequent Events**

There have been no events subsequent to the financial year end with a significant impact on the financial statements for the year ended 30<sup>th</sup> June 2021

**12. Errors**

Material prior period errors shall be corrected retrospectively in the first set of financial statements authorized for issue after their discovery by: i. restating the comparative amounts for prior period(s) presented in which the error occurred; or ii. If the error occurred before the earliest prior period presented, restating the opening balances of assets, liabilities and net assets/equity for the earliest prior period presented.

During the year, errors that have been corrected are disclosed under note 26 explaining the nature and amounts.

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**XIV. NOTES TO THE FINANCIAL STATEMENTS**

**1. TRANSFERS FROM NATIONAL TREASURY**

The following are the amounts transferred from the exchequer to the Commission on a quarterly basis:

Description	2020- 2021	2019- 2020
	Kshs	Kshs
Total Exchequer Releases for quarter 1	54,235,645	59,531,568
Total Exchequer Releases for quarter 2	132,175,667	128,084,650
Total Exchequer Releases for quarter 3	64,375,458	87,996,470
Total Exchequer Releases for quarter 4	102,652,936	100,099,957
<b>TOTAL</b>	<b>353,439,707</b>	<b>375,712,646</b>

**2. OTHER RECEIPTS: PROCEEDS FROM DOMESTIC AND FOREIGN GRANTS**

	2020- 2021	2019- 2020
	Kshs	Kshs
Receipts from Administrative Fees and Charges		10,640,300
<b>TOTAL</b>	<b>-</b>	<b>10,640,300</b>

**3. COMPENSATION OF EMPLOYEES**

Compensation of employees comprise of remuneration paid to employees in return for the work done.

It includes social contributions i.e. NSSF and staff pension made by the National Gender and Equality Commission on behalf of its employees.

	2020- 2021	2019- 2020
	Kshs	Kshs
Basic salaries of permanent employees	127,557,002	119,348,591
Personal allowances paid as part of salary	73,590,265	81,246,689
Employer Contributions Compulsory national social security schemes	21,045,365	6,839,982
<b>TOTAL</b>	<b>222,192,633</b>	<b>207,435,262</b>



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#### 4. USE OF GOODS AND SERVICES

These comprise the total value of goods and services consumed.

	2020- 2021	2019- 2020
	Kshs	Kshs
Utilities, supplies and services	874,586	2,186,347
Communication, supplies and services	4,095,594	4,351,866
Domestic travel and subsistence	13,648,265	25,871,737
Foreign travel and subsistence	2,082,134	8,452,389
Printing, advertising and information supplies & services	2,234,337	6,146,480
Rentals of produced assets	41,088,212	40,039,201
Training expenses	3,798,692	8,116,822
Hospitality supplies and services	1,900,996	4,104,018
Insurance costs	34,638,528	29,202,386
Specialised materials and services	202,200	415,500
Office and general supplies and services	1,924,818	2,307,020
Other operating expenses	7,745,892	3,109,294
Routine maintenance – vehicles and other transport equipment	1,857,903	2,188,248
Routine maintenance – other assets	1,258,754	1,081,881
Fuel Oil and Lubricants	3,383,851	4,002,500
<b>TOTAL</b>	<b>120,734,762</b>	<b>141,575,689</b>

#### 5. SOCIAL SECURITY BENEFITS

	2020- 2021	2019- 2020
	Kshs	Kshs
Government pension and retirement benefits	7,000,000	24,746,161
<b>TOTAL</b>	<b>7,000,000</b>	<b>24,746,161</b>

Social Security benefits relate to staff gratuity payable upon exit.

#### 6. AQUISITION OF ASSETS

	2020- 2021	2019- 2020
	Kshs	Kshs
<b>Non Financial Assets</b>		
Refurbishment of Buildings	1,750,405	78,000
Purchase of Office Furniture and General Equipment	1,630,024	2,283,704
<b>TOTAL</b>	<b>3,380,429</b>	<b>2,361,704</b>

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### 7. Bank Accounts

Name of Bank, Account No. & currency	Exc rate (if in foreign currency)	2020- 2021	2019- 2020
		Kshs	Kshs
Central Bank of Kenya, 1000181532, Recurrent Kes- NATIONAL GENDER AND EQUALITY COMMISSION	-	131,881	123,558.00
Central Bank of Kenya, 1000414855, Development Kes- NATIONAL GENDER AND EQUALITY COMMISSION	-	10,131,000	10,131,000.00
Central Bank of Kenya, 1000182385, Deposits Kes – NATIONAL GENDER AND EQUALITY COMMISSION	-	13,940,473	10,171,137.00
Central Bank of Kenya, 1000414863, Access& Mobility Kes- NATIONAL GENDER AND EQUALITY COMMISSION	-	635,900	635,900.00
<b>Total</b>		<b>24,839,253</b>	<b>21,061,595.00</b>

The Kes 10,131,000 was received from Ford Foundation. This transaction was not in the approved budget in FY 2020/2021. The process to have the amount in the approved budget 2020/2021 is ongoing.

### 8. ACCOUNTS PAYABLES

	2020- 2021	2019- 2020
	Kshs	Kshs
Deposits	13,940,473	10,171,137
Other Payables	-	(92,931)
<b>TOTAL</b>	<b>13,940,473</b>	<b>10,078,206</b>



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**9. FUND BALANCE BROUGHT FORWARD**

	2020- 2021	2019- 2020
	Kshs	Kshs
Bank accounts	21,061,595	749,257
Cash in hand	-	
Receivables - Outstanding Imprests	-	
Payables – Deposits	(10,078,206)	
<b>TOTAL</b>	<b>10,983,389</b>	<b>749,257</b>

**10. PRIOR YEAR ADJUSTMENTS**

Description of the error	FY 2019/2020 as per audited financial statements	during the year relating to prior periods	Balance b/f 2019/2020
	Kshs	Kshs	Kshs
Bank account Balances	21,061,595	(216,492)	20,845,103
Cash in hand	-	-	-
Accounts Payables	(10,078,206)	-	(10,078,206)
Receivables	-	-	-
	<b>10,983,389</b>	<b>(216,492)</b>	<b>10,766,897</b>

**11. CHANGES IN ACCOUNTS PAYABLE – DEPOSITS AND RETENTIONS**

Description	2020- 2021	2019- 2020
Payables as at 1 <sup>st</sup> July 2021	10,078,206	52,971,481
Payables as at 30 <sup>th</sup> June	13,940,473	10,078,206
Increase/ (Decrease) in payables	<b>3,862,267</b>	<b>(42,893,275)</b>

**12. RELATED PARTY DISCLOSURE**

The Commission did not have related part transactions for the year.

**13. PENDING ACCOUNTS PAYABLE**

The Commission pending bills were Kes 962,325 as at end of year 2020/21. These occurred due to late submission of invoices and late supply of goods and services. This

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was attributed to Covid -19 and slowing of economic activity.

	2020- 2021 Kshs	2019- 2020 Kshs
Construction of buildings		
Construction of civil works		
Supply of goods	962,325	5,887,415
Supply of services		
<b>TOTAL</b>	<b>962,325</b>	<b>5,887,415</b>

**14. PROGRESS ON FOLLOW UP OF PRIOR YEARS AUDITOR'S  
RECOMMENDATIONS**

The Commission did not have issues to follow up from the external audit in the financial years.



Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO



CPA Joseph M. Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

# CHAPTER FIVE

## 5.0 Challenges, Priority Areas and Recommendations

### 1.1 Key challenges:

- a) Noncompliance by public and private sectors with minimum requirements of gender equality and inclusion
- b) Limited regional coverage of the issues affecting special interest groups. The Commission has five regional offices spread across the country. With limited vehicles and staffing levels, the five offices have inadequate capacity to reach and address all matters affecting special interest groups.
- c) Inadequate funding reduces the Commission's visibility, reach to most vulnerable populations and affects frequencies in the national reporting of conventions and treaties relating to SIGs.

### 5.2 Recommendations

- a) The Government to consider reviewing the Public Finance Management Act (2012) to allow National Treasury to require a certificate of clearance from the National Gender and Equality Commission confirming that the agencies seeking for funding from government have complied with the gender and inclusion requirements and have in the past financial year demonstrated their investment in gender agenda. This measure is in practice in countries such as Uganda. This measure will certainly make many government agencies to comply with the requirements of gender equity and inclusiveness
- b) In many jurisdictions, government agencies access their budget and grants upon submission of a certificate of clearance from equal opportunities oversight bodies (the equivalent of the NGECE) stating that the agency has put adequate measures in their planning and budgeting tools to address inequalities and exclusions. If such a measure is introduced in Kenya, certainly many government agencies would comply with the requirements of inclusiveness.
- c) The Government to consider increased financial support for the Commission directed at full operationalization of the five regional offices and opening at least two more offices per year. The investment will increase the capacity of the Commission to handle matters of equality and inclusion particularly among vulnerable populations living in hard-to-reach areas. As the commission expands partnerships.

### 5.3 Priority areas

- a) Documentation of the key achievements in the gender agenda realized in the 10 years of existence of the National Gender and Equality Commission. The Commission was established in 2011 and it is important as we celebrate the 10<sup>th</sup> anniversary we take stock of the achievement, missed and lost opportunities and formulate strategies for addressing discrimination and gender inequalities in the next ten years
- b) Facilitate the development of a framework for greater and meaningful involvement of PWDs and youth in anti-corruption programs. PWDs and youth are most affected by corruption and we acknowledge that they too have a significant contribution in building ethos and beliefs on integrity, equality and non-discrimination.
- c) Monitor and audit participation on SIGs in the 2022 general elections including in the political parties (political party code of regulations, constitutions, governance structures, dispute resolution procedures), civic education programs, nominations,

- voter registration and education, political party primaries, simulations, voting and post-election management processes.
- d) Facilitate the development of a model child pregnancy management and control strategy for consideration by national and county governments
  - e) Complete the audit of the uptake and effect of green energy among special interest groups including uptake of solar lanterns, improved cooking *Jikos* among others
  - f) Operationalization of the Commission rules and regulations to strengthen procedures for the conduct of investigations, management of complaints. The program shall involve inaugural sittings of the Commission in 5 counties to hear and process complaints on equality and inclusion. The program will also entail the development of communications to promote the rules and regulations among the special interest groups, presentation of the rules in simple –easy-to-understand language, with the version in Swahili and braille formats.
  - g) Expanding in the scope of interventions on universal access to public infrastructure. The Commission launched a pilot project on access to public transport in Nairobi and wish to expand the coverage and reach to provide national and county governments with concrete recommendations for consideration in ensuring universal access to among others Bus Rapid Transit.
  - h) Building capacity of Commissioners and management team on corporate governance, and knowledge management. The Commission anticipates to receive two new Commissioners and recruit additional technical staff, all of whom will require induction.
  - i) Continue to take stock on the effect of COVID-19 on SIGs and formulate strategies for reducing COVID-19 and other emergencies related harm and vulnerability among these groups.

## Appendix 1: NGECE Leadership Profile

**DR. JOYCE BABBIE MWIKALI MUTINDA PhD, EBS** is the Chairperson of the National Gender and Equality Commission. She is an accomplished educationist, gender analyst, certified professional mediator, quality auditor, training consultant and a monitoring and evaluation, expert. She holds a Doctor of Philosophy degree in Educational Management from Makerere University in Uganda, a Master of Arts degree in Gender Analysis in Development from the University of East Anglia in the United Kingdom and a Bachelor of Education degree from the University of Nairobi, Kenya.



Before her appointment, Dr. Mutinda was the Chairperson of Rongo University Council. Throughout her career, she has served in over fifteen public institutions in the education sector and civil service and undertaken numerous local, regional and international

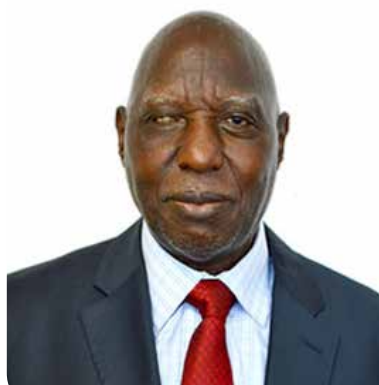
consultancies.

Dr. Mutinda has published several books, research papers and reports and is a respected training consultant and facilitator. She has attended many national, regional and international high-level conferences, seminars and workshops where she represented the country in various capacities. At the community level, she has served in various capacities in the Boards of Management of various educational institutions. She has also held leadership positions in various associations.

Dr. Mutinda is an avid reader and writer, cherishes mentoring the youth, motivating the girl-child and women, conserving the environment and advocating for the uptake of renewable energy and loves singing.

### **DR. MURITHI J. CHOMBA WA MUNYI, PhD, MBS.**

Dr Chomba is the Vice-Chairperson of the Commission. He was appointed on August 17, 2018, and sworn in on August 27, 2018. He holds a Doctor of Philosophy degree from Kenyatta University, Doctor of Philosophy in Education (Special Needs Education) from the University of Marylebone, UK, PGDE in Curriculum Development and Evaluation from Kenyatta University, Master's Degree in Special Needs Education from Michigan State University, U.S.A, and a Bachelor of Education degree from the University of Nairobi. He has served in the disability sector as Chairman of the Disabled Voters of Kenya Alliance (DVA) and Kenya Union for the Blind (KUB). Other memberships include; the Nairobi County Public Service Board, National Council for Persons with Disabilities (NCPD), Kenya Institute of Special Education (KISE) Council, Kenya Institute for the Blind (KIB) Board of Management and Nguviu Boys' High School Board of Management.



Before his appointment, Dr Chomba worked as a Senior Lecturer at Kenyatta University in the Special Needs Education Department, as Managing Director at Disability Awareness and Development (FAMDAD) Management Consultancy and as an Executive Director at the African Union of the Blind (AFUB).



### **HON. PRISCILLA NYOKABI KANYUA, EBS.**

Commissioner Hon. Nyokabi is an Advocate of the High Court of Kenya and holds a Bachelor of Law Degree from the University of Nairobi and a Diploma from the Kenya School of Law. She served as the first Nyeri County Woman Member of Parliament between 2013-2017. She was appointed on August 17, 2018, and sworn in on August 27, 2018. Before joining Parliament, Hon. Nyokabi was the Executive Director of Kituo Cha Sheria. She served as the Deputy Presiding Officer in Eastern Africa in the African Union Permanent Assembly of the Civil Society (AU ECOSOC) and as a Media Council of Kenya Complaints Commissioner. She was nominated Top 40 under 40 Women in Kenya in 2010 and 2011 by Nation Business Daily.



During her stint in Parliament Hon. Nyokabi championed issues of women, human rights and development. She served in various Parliamentary committees including the Justice and Legal Affairs Committee as the Vice-Chair, Budget and Appropriations Committee, House Business Committee, Chairperson of Caucus 47 of all the County Women Representatives, Kenya Women Parliamentary Association (KEWOPA) as an Executive Committee Member and Catholic MPs Forum as a Member. Hon. Nyokabi is married and a mother of two.

### **BETTY SUNGURA-NYABUTO, MBS.**

Betty Sungura- Nyabuto, **MBS** is the Commission Secretary and Chief Executive Officer of the National Gender and Equality Commission. An accomplished scholar, Advocate of the High Court of Kenya and an active member of the Law Society of Kenya, she holds a Bachelor of Laws (LLB) and Master in Laws (LLM) in International Trade & Investment Law, University of Nairobi. She is a Certified Secretary and an active member of the ICS Institute of Certified Secretaries (ICS), a Commissioner of Oaths and a Notary Public, both conferred by the Judiciary of Kenya.



She has served as a Legal Counsel at Fida Kenya, interacted widely with the legal profession at the bar, bench, and in the public sector as well as at local, regional and international levels including the East African Court of Justice (EACJ) and the EAC.

Betty has served as Chief Executive Officer of the Law Society of Kenya. She has also served as Deputy Commission Secretary /CEO at the Independent Electoral and Boundaries Commission (IEBC). At the IEBC, she was appointed Acting Chief Executive Officer by the Commission (IEBC) and Accounting Officer by the Cabinet Secretary, National Treasury in two Financial Years.

She is a proficient author, child rights defender who has written books on good governance and authored separately with the UN Women on how to promote the participation of women in elections. As part of her participation in good governance, She has undertaken major regional and international consultancies including assisting the Burundi Bar Association with Strategic Planning in preparation of their first-ever Strategic Plan with the support of Avocats sans frontières Belgium.

She has worked previously with Plan Nederlands International in Amsterdam defending child rights and is currently serving as a member of the Law Society of Kenya Mentorship Board/ Committee.

## Annexes

**Table 3: Coordination Meetings held, 2020/2021.**

Theme	No. of Meetings	Critical issues discussed
<b>Gender and Women</b>	4	<ul style="list-style-type: none"> <li>- Review of draft policy in the prevention, response and protection from unlawful sexual acts and the administration of justice in sexual offences, and; proposed amendments to the bill on Sexual Offences Act, 2006.</li> <li>- Review of the draft P3 Form</li> <li>- Tackling gender norms through the media</li> <li>- In the POLICARE model, the Commission is a member of the TWG</li> <li>- Strengthening evidence for effective action towards prevention and response of gender-based violence</li> </ul>
<b>Minority and marginalized</b>	5	<ul style="list-style-type: none"> <li>- Exclusion and marginalization of the Elmolo community of Marsabit in County and National Development</li> <li>- Planning and coordination of the expert's forum on land rights and natural resource management as it relates to minority and marginalized communities</li> <li>- Equality and inclusion of the Shona community in National and County development through capacity building</li> <li>- Possible collaboration and partnership towards the development of a National Inclusive Development Framework</li> </ul>
<b>Youth and Children</b>	2	<ul style="list-style-type: none"> <li>- The escalating cases of gender-based violence, girl child disempowerment and violation of children rights</li> <li>- Effects and impacts of COVID -19 among children and youth.</li> </ul>

**Table 3: Coordination Meetings held, 2020/2021.**

<p><b>Disability and Elderly</b></p>	<p>4</p>	<ul style="list-style-type: none"> <li>- Disability and budget with a view of ensuring disability responsive budgeting.</li> <li>- gains and missed opportunities for PWDs since Kenya adopted the constitution past 10 years</li> <li>- “Enhancing inclusivity through empowering persons with disabilities”.</li> <li>- strengthening the social contract between states and citizens</li> <li>- Planning of commemoration of SIGs international and national days in collaboration with parent Ministry of labour and social protection</li> </ul>
<p><b>Equality and Inclusion technical working groups</b></p>	<p>45</p>	<ul style="list-style-type: none"> <li>- COVID -19 and emerging issues including GBV, child pregnancies</li> <li>- Planning and commemoration of SIGs international and national days in Nakuru Garissa, Kilifi, Kisumu and Kitui</li> <li>- Mapping partners to foster inter-agency capacity in addressing issues of equality and inclusion.</li> <li>- Support in the review of County policies and laws</li> </ul>
<p>Theme based commemoration of National/ International Days for SIGs at county levels</p> <ul style="list-style-type: none"> <li>i. International Day of Older members of society commemorated on 1st October 2020. The theme for 2020 was ‘Pandemics: Do They Change How We Address Age and Ageing?’</li> <li>ii. 2020 International Rural Women Day held on 15th October 2020 under the theme, ‘Building rural women’s resilience in the wake of COVID-19’</li> <li>iii. International Day for Persons with Disabilities held on 3rd December 2020</li> </ul>	<p>13</p>	<ul style="list-style-type: none"> <li>- the Commission issued statements pointing out key priority areas affecting the SIGs in line with the theme of the celebration for consideration by the government and SIGs themselves.</li> <li>- In addition, the Commission facilitated public education on their rights and opportunities for SIGs at both County and National Government levels during the commemoration.</li> </ul>

**Table 3: Coordination Meetings held, 2020/2021.**

<p>iv. International White cane Safety Day on 15th October 2020. The theme was “Achieving sustainable development Goals for the blind” International Day of Girl Child 2020 themed “My Voice, Our Equal Future” on 12th October 2020</p> <p>v. Day of Zero tolerance to FGM, March 2021 themed ‘No Time for Global Inaction, Unite, Fund, and Act to End Female Genital Mutilation’ International women’s day, March, 8,2021 themed “Women in leadership: Achieving an equal future in a Covid-19 world,” and ge’the campaign message is ‘choose to challen</p> <p>xi.Day of the African Child, June 16, 2021, ‘30 years after the adoption of the charter: Accelerate implementation of Agenda 2040 for an Africa for children’</p>		
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**Table 3: Coordination Meetings held, 2020/2021.**

<p>vi. UN International Day of Families, May 2021 themed Families and New Technologies</p> <p>vii. The World Elder Abuse Day, June 15, 2021 "Access to Justice for Older Persons"</p> <p>viii. International Missing Children's Day, May 25, 2021, themed Date and Significance: Know History of the Day dedicated to Children Who Go Missing</p> <p>ix. 16 days of activism against GBV, 2020 themed "Orange the World: Fund, Respond, Prevent, Collect!" 25th November 2020 – 10th December 2020.</p>		
<p><b>Total</b></p>	<p>74</p>	





**National Gender and Equality Commission**

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