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ANNUAL REPORT



NGEC

National Gender and
Equality Commission





NGEC
National Gender and
Equality Commission

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TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	5
STATEMENT FROM THE CHAIRPERSON	6
FOREWORD FROM THE CHIEF EXECUTIVE OFFICER.....	8
EXECUTIVE SUMMARY.....	9
1. INTRODUCTION.....	11
2. ACHIEVEMENTS FOR THE YEAR 2014/2015	14
2.1 Creating an Enabling Legal Environment to Achieve Equality in Compliance With the Constitution and Other Written Laws and International Treaties	14
2.1.1 Public Interest Litigation	15
2.1.2 Watching Brief on Court Matters.....	17
2.1.3 Advisories on matters related to equality and non- discrimination.....	18
2.1.4 Complaints and Investigations.....	19
2.1.5 International and Regional Reporting Mechanism.....	29
2.2 Providing Comprehensive and Adequate Response to SGBV	33
2.2.1 Partnership on GBV prevention and response.....	33
2.2.2 Monitoring Gender Based Violence (GBV).....	34
2.2.3 Estimating the Cost of Providing services for Gender Based Violence (GBV) in Kenya	35
2.2.4 Research study on the Cost of Gender Based Violence to Survivors and Perpetrators.....	35
2.3 Mainstreaming Issues of SIGs in the Development Agenda at National and County Governance Systems and in the Private Sector.....	36
2.3.1 Kenya’s First Status Report on Equality and Inclusion.....	36
2.3.2 Status of the Boy Child in Kenya	36
2.3.3 Public Inquiry into Child Pregnancy.....	36
2.3.4 Audit of Equality and Inclusion in Charitable Children Institutions	37
2.3.5 Audit of Free Maternity Services in Public Health Facilities.....	37

2.3.6	Audit of county governments' compliance with national and international legislative provisions on Gender Based Violence (GBV)...	38
2.3.7	Access to Education by Children with Disabilities.....	39
2.3.8	Audit of Selected Institutions for the Elderly.....	39
2.3.9	Framework for Realization of the Not More Than Two-Thirds Gender Principle.....	40
2.3.10	Scheme on Compliance with Principles of Equality and Inclusion in the Private Sector.....	41
2.3.11	Consultative Forum on Marginalized and Minority Issues.....	42
2.3.12	Baseline Assessment of Counties Gazetted for Equalization Fund.....	43
2.3.13	Audits of Affirmative Action in Employment and Education Sectors in Devolved Government.....	43
2.3.14	Mapping Ethnic Minorities and Marginalized Communities in Kenya.	44
2.3.15	The 2014 International Cooperative Summit on the Issues of Minority and Marginalized.....	44
2.3.16	Gender Mainstreaming Levels in the Public Sector.....	44
2.3.17	Equality and Inclusion among Pastoral Communities.....	45
2.3.18	Standards for the Realization of Right to Health.....	46
2.3.19	M&E Framework on Equality and Freedom from Discrimination.....	46
2.3.20	Equality & Inclusion Management Information System.....	46
2.4	Advocating for Financing of Substantive Equality at All Levels.....	47
2.4.1	Gender Responsive Budgeting (GRB).....	47
3.0	PUBLIC EDUCATION, COMMUNICATIONS AND ADVOCACY.....	48
3.1	Lobbying for the Realization of the not More Than Two Thirds Gender Principle.....	48
3.2	International Youth Day.....	48
3.3	Production of Educational Materials.....	49
3.4	Institutional Visibility.....	50
3.5	Development of an Institutional Communication Strategy.....	50
4.0	INSTITUTIONAL CAPACITY BUILDING AND DEVELOPMENT.....	51
4.1	Human Resource.....	51
4.2	Information and Communication Technology.....	51
4.3	Procurement.....	52

4.4 Devolution Strategy.....	52
4.5 Monitoring County Specific Interventions.....	52
5.0 AUDIT REPORT AND FINANCIAL STATEMENTS.....	54
6.0 CHALLENGES, RECOMMENDATIONS AND PRIORITY AREAS	75
6.1 Challenges:	75
6.2 Recommendations.....	75
6.3 Priorities:	75
APPENDIX	
Profile of Commissioners and Chief Executive Officer	78

ABBREVIATIONS AND ACRONYMS

AGPO	Access to Government Procurement Opportunities
CS	Cabinet Secretary
CSW	Commission for the Status of Women
CTP	Cash Transfer Programme
EBS	Elder of the Burning Spear
FPE	Free Primary Education
HSC	Head of State Commendation
IEBC	Independent Electoral and Boundaries Commission
IFMIS	Integrated Financial Management Information System
ILO	International Labour Organization
IWD	International Women's Day
JKUAT	Jomo Kenyatta University of Agriculture and Technology
MDAs	Ministries, Departments and Agencies
NACADA	National Campaign Against Drugs and Alcohol Abuse
NGEC	National Gender and Equality Commission
ODM	Orange Democratic Movement
PS	Principal Secretary
PWDs	Persons with Disabilities
SDA	Seventh Day Adventist
SGBV	Sexual and Gender Based Violence
SIGs	Special Interest Groups
TJRC	Truth Justice and Reconciliation Commission
TNA	The National Alliance
TSC	Teachers Service Commission
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
URP	United Republican Party
VAT	Value Added Tax

STATEMENT FROM THE CHAIRPERSON

I am pleased to present to you the National Gender and Equality Commission's (NGEC) Annual Report. This is the third report since the establishment of the Commission. The achievements made this far by the Commission resonate with the hard work of Commissioners and secretariat. They have steered the Commission in making sure that to the greatest extent possible, rights of Special Interest Groups (SIGs) are upheld.

The operations at regional offices received a boost with the development of a devolution strategy. The process involved intense consultations with key stakeholders including high level consultative sessions with County government representatives. The strategy will strengthen monitoring of the integration of the principles of equality and inclusion at the county level, ultimately improving service delivery to most vulnerable populations. In February 2014 the Commission was nominated by the Hon. Attorney General to convene the Technical Working Group (TWG) comprising of government and civil society to develop a framework for the realization of the not more than two-thirds gender principle, in compliance with the Constitution. I am happy to report that we now have a practical proposal published into a Constitutional amendment bill.

During the reporting period, the Commission commenced an inquiry into child pregnancies in Kenya. The inquiry seeks to explore implementation gaps in national laws and policies alongside international and regional treaties on promotion of reproductive health rights of children and eliminating sexual violence. The findings will inform recommendations aimed at promoting and mainstreaming issues of children including protecting their rights and privileges. The Commission has launched the first equality and inclusion status report to inform all the major inequalities to deal with. Furthermore, the Commission forged multiple strategic partnerships with the National and County Governments, civil society organizations and private sector towards integrating principles of equity and inclusion in the development plans.

I wish to specially acknowledge and appreciate the unwavering support of the Government of Kenya and the Commission's development partners who offered their technical and financial support during the financial year under review. We aspire to have our presence felt more by the citizens through our service delivery, and to

that end, we continue welcoming the support and suggestions of all stakeholders. I also wish to sincerely thank the Commissioners and staff for their great contribution during the year and urge them to sustain their efforts in the forthcoming year. Finally, we appreciate the trust that all the people of Kenya have bestowed on us to promote gender equality and freedom from discrimination.



**WINFRED O. LICHUMA, EBS
CHAIRPERSON**

FOREWORD FROM THE CHIEF EXECUTIVE OFFICER

The year 2014-15 was very eventful. It was a year in which most critical systems at the Commission were operationalized enhancing effectiveness and efficiency in the management. As a result, the Commission made significant strides in executing its mandate and functions as stipulated in the Constitution 2010 and NGEN Act 2011.

During the reporting period, the Commission operationalized the Integrated Financial Management System (IFMIS) and E-procurement in compliance with the government regulations and requirements. The Commission further streamlined operations through development of executive policies to provide required guidance. The completion of a Human Resources Manual and subsequent training of staff on it has improved staff understanding on expectations by the employer, contributing to improved work relations and performance. Currently, the Commission is developing transport, Internet and Communication Technology (ICT) and training policies all of which are expected to be finalized and operationalized in the next financial year.

To enhance its visibility, the Commission began development of an internal communication strategy that is expected to define the framework of engagement with stakeholders at all levels. The implementation of this strategy requires both human and capital resources and we are hopeful that both the government and our development partners will support this initiative.

In order to operationalize the NGEN Act in areas of complaints processing, investigations and ensuring compliance with equality and non-discrimination principles, the Commission commenced development of two sets of regulation; Complaints (practice and procedure) rules, 2015 and equality regulations, 2015. Once completed the rules and regulations will clarify many opportunities of serving special interest groups.

We attribute the immense achievements to dedicated, competent and qualified staff at the Commission. The Commissioners strategic, policy and programmatic guidance throughout the whole process was useful at all times. We sincerely appreciate these efforts. The involvement and active participation of our key stakeholders formed a springboard to our achievement. In the coming year, the Commission will continue to upscale its programmatic interventions through well-reasoned activities that resonates with the core mandate and responds to the needs of the special interest groups.



PAUL KURIA

Ag. CHIEF EXECUTIVE OFFICER/COMMISSION SECRETARY

EXECUTIVE SUMMARY

The National Gender and Equality Commission is a constitutional Commission set up pursuant to Article 59 (4) & (5) of the Constitution of Kenya 2010 and the National Gender and Equality Commission Act 2011. The overall mandate of the Commission is to promote gender equality, inclusion and freedom from discrimination among all Kenyans, but with special consideration of women, youth, children, person with disabilities, elderly, ethnic minority and marginalized groups and communities. The Commission is responsible for the comprehensive integration of the principles of equality, inclusion, and mainstreaming issues of Special Interest Groups (SIGs) in National, County and private sector. This is achieved through a five point strategic plan with the following key objectives:

- a) To create an enabling legal environment to achieve equality in compliance with the Constitution and other written laws, treaties and regulations;
- b) To provide comprehensive and adequate response to Sexual and Gender-Based Violence (SGBV);
- c) To mainstream needs and issues of SIGs in development at national and county governance systems and private institutions;
- d) To advocate for financing of substantive equality at all levels;
- e) To build an effective, efficient and sustainable institution visible at all levels.

This report is a summary of the key achievements of the past financial year 2014/2015 under review; the progress made by the Commission in monitoring, auditing, facilitating and coordinating the integration of the principles of equality and inclusion at international and regional levels and a summary of good practices and challenges encountered during implementation of its programmes. The Commission made significant achievements among them:

- a) Review of 47 statutory Bills and directly facilitated Ministries, departments and agencies (MDA's) to develop 2 laws;
- b) Issuance of 10 advisories to National and County Governments;
- c) Involvement in eight (8) litigation matters of public interest that ensured that jurisprudence touching on the special interest groups is developed and that justice is sought for the most vulnerable in society;
- d) Audits on critical issues affecting special interest groups including exclusion of the boy child in the affirmative action and programs

- e) Facilitating the development of a practicable framework for realization of the not more than two-third gender principle;
- f) Increased public education and awareness on the dividends for investment in equity and inclusion; and
- g) Launch of the 1st status report on equality and inclusion in Kenya.

The report is divided into six chapters. Chapter one describes the mandate, composition and structure of the Commission. Chapter two describes critical programmatic achievements by key strategic objectives while Chapter three details public education and advocacy interventions. Chapter four presents the institutional growth achieved in the past year in regards to personnel, information and technology, procurement and in expanding business to youth, women and persons with disabilities. The audited accounts of the financial year 2014/2015 are presented in Chapter five while Chapter six describes the key challenges, recommendations and priority areas of the Commission for the financial year 2015/16.

1.0 INTRODUCTION

The National Gender Equality Commission is a constitutional Commission established by an Act of Parliament in August 2011, as a successor commission to the Kenya National Human Rights and Equality Commission pursuant to Article 59 of the Constitution. NGEC derives its mandate from Articles 27, 43, and Chapter Fifteen of the Constitution; and section 8 of NGEC Act (Cap. 15) of 2011, with the objectives of promoting gender equality and freedom from discrimination.

The Commission has its head office in Nairobi with three regional offices in Garissa, Kisumu and Nakuru. As per the provisions of the NGEC Act of 2011, the Commission consists of a Chairperson and four other members appointed in accordance with its constitutive Act of parliament. The Chairperson and members serve on a full time basis for a term of six years and are not eligible for reappointment. By the end of the financial year, the Commission had a Chairperson, Commissioner Winfred Osimbo Lichuma, and three other members; Commissioner Simon Ndubai (Vice Chairperson), Commissioner Gumato Ukur Yatani and Commissioner Dr. Florence Nyokabi Wachira.

1.1 Mandate and Powers of the Commission

The mandate of the NGEC is spelt out under section 8 of the NGEC Act 2011 as follows:

- 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;
- 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 programs 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;
- 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 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 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.

1.2 Powers of the Commission

In terms of broad powers, these are provided under Article 252 of the Constitution and NGEC Act, as follows:

- a) To conduct investigations on its own initiative or on a complaint made by a member of the public;
- b) Powers necessary for conciliation, mediation and negotiation;
- c) Powers to recruit its own staff; and
- d) Any functions and exercise any powers prescribed by legislation, in addition to the functions and powers conferred by this Constitution.

Section 27 the NGEC Act 2011 also has the following powers of a court:

- a) Issue summonses or other orders requiring the attendance of any person before the Commission and the production of any document or record relevant to any investigation by the Commission;
- b) Question any person in respect of any subject matter under investigation before the Commission; and
- c) Require any person to disclose any information within such person's knowledge relevant to any investigation by the Commission.

Other powers include

- a) Summoning and enforcing the attendance of any person for examination;
- b) Requiring the discovery and production of any document; and

Subject to the Constitution and any written law, to requisition any public record or copy thereof from any public officer.

2.0 ACHIEVEMENTS FOR THE YEAR 2014–2015

2.1 CREATING AN ENABLING LEGAL ENVIRONMENT TO ACHIEVE EQUALITY IN COMPLIANCE WITH THE CONSTITUTION AND OTHER WRITTEN LAWS AND INTERNATIONAL TREATIES

One of the key functions of the Commission is to monitor, facilitate and advise on the integration of the principles of equality and non-discrimination in all national and county policies, laws and administrative regulations in public and private institutions. During the period under review, the Commission reviewed forty-seven (47) bills to ensure compliance with the constitutional requirement on the principles of equality and inclusion. Additionally, the Commission participated in the development of three laws and submitted four memoranda during public participation towards development process of selected laws as shown in Tables 1 to 3.

Table 1: List of bills reviewed in 2014-15

No	Name of Legislation
1	The Constitution (Amendment) (No. 4) Bill of 2015
2	The two-thirds gender rule laws (Amendment) Bill, 2015
3	The Persons Deprived of Liberty Bill, 2014
4	Persons with Disabilities (Amendment) Bill, 2013
5	Constitution of Kenya (Amendment) Bill, 2013 seeking to remove the office of Members of Parliament, Members of County Assemblies, Judges and Magistrates from, the list of designated State offices.
6	Protection Against Domestic Violence Bill, 2013
9	Reproductive Health Care Bill, 2014
10	The Children (Amendment) Bill, 2014
11	The Health Bill, 2014
12	Public Service Values Principles Bill, 2014
13	The Political Parties (Amendment) Bill, 2015
14	The Small Claims Court Bill, 2014

Table 2: Specific laws NGEC facilitated MDA's to formulate

NO.	NAME OF BILL
1	Persons with Disabilities Education Bill 2015. The National Assembly Committee on Justice and Legal Affairs requested NGEC to facilitate the development of this law after receipt of memoranda from the public on the levels and trends of discrimination of children with disabilities in the education sector. Other actions included having two retreats for drafting of the bill.
2	Older Members of the Society Bill 2015. The Commission and the Ministry of Labour and Social Security and Services established a need to prepare the bill following various recommendations by the Technical Working Group on aging. Others member institutions of the technical working group included; Semi-Autonomous Government Agencies from the Ministry of education (Kenya Institute of Curriculum Development, Kenya National Examination Council, Education Standards and Quality Assurance Council), Secondary section in the Ministry's special education (Kenya Institute of Special Education- KISE). Others included Teachers Service Commission, Kenya national Parents Association and United Disabled Persons of Kenya

Table 3: Specific laws to which NGEC submitted memoranda during public participation

No.	Name of Bill
1	Constitution of Kenya (Amendment) Bill, 2013
2	The Senior Citizens Care and Protection Bill, 2014
3	Legal Aid Bill, 2015
4	Constitution of Kenya (Amendment) (No 4) Bill, 2015
5	<ul style="list-style-type: none"> • The Election Laws (Amendment) Bill, 2015 • The Election Laws (Amendment) (No. 2) Bill, 2015 • The Election Laws (Amendment) (No. 3) Bill, 2015 • The Political Parties (Amendment) Bill, 2016 • National Government Affirmative Action Fund Regulations, 2016 • The Affirmative Action Social Development Fund) Regulations, 2015

2.1.1 Public Interest Litigation

During the review period the Commission engaged in strategic public interest litigation cases towards enhancing human rights and justice in matters sensitive to gender equality and non-discrimination. In the period 2014-15 financial year, the Commission was involved in eight (8) matters of public interest summarized in Table 4 below:

Table 4: Public interest litigation cases and outcomes

NO.	CASE NO	OVERVIEW OF THE CASE	OUTCOME
1	Constitutional Petition No. 266 of 2013	This matter concerned the issues of whether intersex persons exist in Kenya, whether they belong to the conventional male and female genders or they should be categorized as a third gender	The orders given were that laws should be enacted by Parliament governing intersex people
2	Constitutional Petition No. 431 of 2012	This matter concerned the issue of religious rights to students belonging to the Seventh Day Adventist faith and whether it's a violation of their rights to require SDA students to be in classes on a Saturday, the prescribed Sabbath day for SDA when they should be in church	The case has been heard to its conclusion and a judgment delivered. The court found that there was no violation and the petitioners appealed. The matter is pending at the Court of Appeal.
3	Constitutional Petition No. 497 of 2014	This matter challenges Hon. Dr. Bishop Mutemi's nomination as a member of National Assembly on grounds that he was not a member of the Wiper Democratic Movement of Kenya Party at the time of nomination following the 2013 General Elections.	The matter is ongoing at the Constitutional Court
4	Nairobi Criminal case. No. 75 of 2009	'Jackson Namunya Tali's case', This matter concerns a conviction of a nurse allegedly procuring an abortion to a girl whose complications led to her death. The intended appeal wishes to settle the issue of whether abortion is permitted in the law of Kenya and the parameters upon which a health professional can advise on procuring a legal abortion	NGEC has been actively involved in the pre-appeal research and stakeholder strategic engagements
5	Mombasa Constitutional Petition No. 50 of 2011	MUHURI's Case: This is a citizenship case where the petitioners allege that the state has denied them National Identity Cards without a justifiable cause. The state argues that they are non-Kenyan Somalis	Matter ongoing

NO.	CASE NO	OVERVIEW OF THE CASE	OUTCOME
6	Supreme Court Reference No. 1 of 2013	The matter sought Supreme Court's advisory opinion on some grey area in the law concerning the process of nomination to special seats as provided in Article 90 of the Constitution	The Supreme court in its ruling found triable issues and advised parties to seek redress at the High Court or Court of Appeal
7	Nairobi Constitutional Petition No. 15 of 2014	Rev. John Mbugua versus AG & others. This is an omnibus case concerning the rights of persons with disabilities, the state's commitment and implementation of issues of disability.	Case ongoing
8	Petition No. 226 of 2015 to compel the Ministry of Labour Social, Security and Services to implement the Act	The Commission has sued the Cabinet Secretary, Ministry of Labour Social, Security and Services to implement the Social Assistance Act, 2013 which has been pending since its passage in 2013	Case ongoing.

2.1.2 Watching Brief on Court Matters

To ensure justice for survivors, the Commission monitors proceedings of cases in courts; especially pending criminal cases related to discrimination and gross violation of gender equality in Kenya. In such cases and related matters the Commission provides input that is necessary to assist the courts and the prosecution in accelerating justice for the survivor and perpetrator. Majority of the cases take long to conclude due to apparent lack of witnesses attributed to traditional cultural norms that define relations in some communities. During the reporting period, the Commission monitored three cases based on the nature of complaints received and proceedings instituted. These are summarized in Table 5

Table 5: List of cases Commission watched brief

OVERVIEW OF THE CASE	COURT	STATUS/OUTCOME
Sexual abuse of a mentally challenged person	Makadara Law Courts)	Pending hearing
Incest with a mentally challenged person	(Milimani Law Courts)	Pending hearing
Defilement	(Marsabit Law Courts)	Pending judgement

2.1.3 Advisories on matters related to equality and non-discrimination

As part of its mandate, the Commission upon request or out of its own motion provides advisories to government and private sector agencies on matters of equality and inclusion to hasten decision-making process. In the past two years since its existence the Commission's advisories have been instrumental in guiding actions, influencing opinions and fast tracking delivery of access to justice. During the 2014/2015 financial year, the Commission offered 10 advisories summarized in Table 6.

Table 6: List advisories and outcomes

NO.	PURPOSE	CONFLICT	RECIPIENT	OUTCOME
1	Compliance with Ministerial Circular on retirement age of PWDs	Retirement of PWD employees before the age of 65 years.	Central Bank of Kenya	Central Bank is reviewing policy to incorporate the recommendations in the advisory
2	Implementation of the Social Assistance Act, 2013, Ministry of Labour social Security and Services	Failure to establish a Board of Management of the National Social Assistance Authority.	Ministry of Labour Social, Security and Services	Petition No. 226 of 2015 to compel the Ministry to implement the Act.
3	Integration of the principles of equality and inclusion in County legislation processes.	Lack of a Bill Tracking mechanism showing the extent to which mainstreaming is being integrated	47 Counties	Counties put in place a basic bill tracking infrastructure
4	Compliance with the two thirds gender principle	Appointment of High Commissioners and Ambassadors	Executive	Commitment by Executive to progressively implement the two thirds principle in appointive positions.
5	Welfare of older persons	Observance to the International Day of older persons	Ministry of Labour and Social Services	Commitment to streamline social protection schemes such Cash Transfer Programs (CTPs)

NO.	PURPOSE	CONFLICT	RECIPIENT	OUTCOME
6	Protection of the rights of women	Sexual and Gender based violence on women in public and private spaces	National Police Service and Office of the Director of Public Prosecution	Arrest and prosecution of perpetrators who stripped a woman in public
7	Protection of Children rights	Police brutality on Langa'ta road primary school children	National Police, DPP, IPOA and Langata road primary school	NPS & IPOA seized of the matter with a view of commencing investigations
8	Equal opportunity and merit for women leaders	Rejection of Amb. Monica Juma as nominee to the post of Secretary to the Cabinet	National Assembly	Parliament to respect equal opportunities perspective in appointive positions
9.	Equal opportunities for the youth, women and persons with disabilities	Nomination of Ambassadors	The President	The President to support the empowerment of youth, women and persons with disabilities in key decision making organs
10.	Access to Government Procurement Opportunities for youth, women and persons with disabilities	Lack of information on public procurement opportunities	Executive	The government to avail information on Access to Government Procurement Opportunities programme-AGPO for youth, women and persons with disabilities

2.1.4 Complaints and Investigations

The NGEN Act 2011 mandates the Commission to investigate on its own or based on complaints from individuals or agencies on violation against the principles of gender equality and freedom from discrimination. The Commission usually receives complaints in form of filed reports, referral, and memoranda or directly from clients.

During the period under review, the Commission investigated 68 complaints. The complaints were on alleged violations on the principles of equality and freedom from discrimination. The alleged complains involved issues on; employment, sexual and gender based violence, political representation, resource management, individual rights, access to education and matrimonial properties amongst others. Table 7 provides details of the complaints received and acted upon by the Commission.

Table 7: Summary of complaints received and remedial action taken

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
1. NGE/21/2015	F	Charles Musyimi	Denial of access to matrimonial properties and violence against the Complainant	Preliminary report completed, pending committee approval
2. NGE/20/2015	F	Hotel River View(Westlands)	Discrimination based on pregnancy and unlawful termination of employment	Investigations ongoing
3. NGE/19/2015	M	NCPWD	Unfair withdrawal of disbursement of the disability funds	Preliminary Report done and investigations commenced
4. NGE/18/2015	F	Patrick Muthiani Mutsya	Incest with a mentally challenged person	Matter pending in Court and NGE is watching brief.
5. NGE/17/2015	M	Marsabit County Land Management Board	Failure to include the Burji community in the 65aa composition of the County Land Management Board	Investigations have been conducted and recommendations made
6. NGE/16/2015	ORG	NCPWD	Failure by the NCPWD to perform its functions to address the issues affecting PWDs	Investigations commenced
7. NGE/15/2015	M	Teacher	Assault of a minor by teacher	Matter pending
8. NGE/14/2015	F	Name Not Disclosed	Defilement of a minor	Investigations ongoing
9. NGE/13/2015	F	Name Not Disclosed	defilement of a minor	NGEC watching brief
10. NGE/12/2015	F	Name Not Disclosed	Defilement of a minor	Investigations ongoing

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
11.NGEC/10/2015	M	HELB	Discriminatory sections in the HELB Act	The HELB Act has been reviewed
12.NGEC/09/2015	F	Samburu Elders	Female genital mutilation	Investigations ongoing
13.NGEC/08/2015	F	Samburu Elders	Female genital mutilation	Matter ongoing
14.NGEC/07/2015	M	UNCHR	Discrimination of short persons(dwarfs)	Matter ongoing
15.NGEC/06/2015	F	IEBC	Discrimination against the complainant in County Assembly Nomination party lists	Investigations ongoing
16.NGEC/05/2015	M	Jeckonia Onunda	Defilement of a minor	Matter ongoing
17.NGEC/04/2015	F	Salina Barmatat	Early marriage	Matter concluded.
18.NGEC/03/2015	F	Geoffrey Rotich & Others	Forced marriage	Complainant is irresponsible. Matter closed.
19.NGEC/02/2015	F	Pest Control Products Board	Discrimination on grounds of pregnancy	Complainant is irresponsible. Matter closed.
20.NGEC/01/2015	ORG	Inter-Governmental Relations And Technical Committee	Failure to comply with two-thirds gender principle	Matter ongoing
21.NGEC/55/2014	M	Teachers Service Commission	Discrimination based on disability and unfair termination	Matter ongoing
22.NGEC/54/2014	ORG	National Irrigation Board Ahero	Forceful eviction, demolition of property and violation of rights	Matter ongoing

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
23.NGEC/53/2014	ORG	Kenya Revenue Authority	Discrimination of PWDS by failure to issue a tax exemption certificate	Investigations ongoing
24.NGEC/52/2014	M	Nandi Public Service Board	Failure to meet the two thirds gender representation in employment	Complaint Concluded. File closed
25.NGEC/51/2014	M	Josiah Ngonga	Violation of Rights by the Police	Matter referred to the Independent Police Oversight Authority
26.NGEC/50/2014	ORG	Narok County Public Service Board	Failure to meet the two thirds gender representation in employment	Investigations ongoing
27.NGEC/49/2014	ORG	Kakamega County Public Service Board	Gender discrimination in employment in the county	Investigations ongoing
28.NGEC/48/2014	M	Carol Lekoterem	Gender based violence by the husband	Investigations ongoing
29.NGEC/46/2014	F	Kenya Girls Guide Association	Sexual harassment of female students by the manager	Matter ongoing
30.NGEC/45/2014	F	Gideon Otieno	Domestic and gender based violence by the spouse	Matter ongoing
31.NGEC/44/2014	M	Baringo County Public Service Board	Discrimination of women in employment and corruption in the county government	Matter ongoing
32.NGEC/43/2014	M	Kenyatta University	Discrimination and inequality based on being a part time lecturer	Matter ongoing

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
33.NGEC/42/2014	F	Ministry Of Interior & Co-Ordination Of National Government	Discrimination against single female employees	File closed
34.NGEC/41/2014	F	John Keen	Sexual violence and discrimination of a PWD	Matter ongoing
35.NGEC/40/2014	M	David Koros Secondary School	Pregnancies of fifteen girls in David Koros Secondary School	Matter ongoing
36.NGEC/39/2014	F	Army Training Base, Eldoret	Discrimination based on gender by the Army training base	Investigations ongoing
37.NGEC/38/2014	M	680 Hotel	Discrimination based on disability by denial of access to the hotel	File Closed
38.NGEC/37/2014	F	Trocaire	Racial and Gender discrimination leading to unlawful and unfair termination of employment.	Matter ongoing
39.NGEC/36/2014	F	Maryline Langat	Land conflict	Matter pending before Court
40.NGEC/35/2014	M	Marsabit County Land Board	Discrimination of women in the composition of Marsabit County Land Board	Matter ongoing
41.NGEC/34/2014	Laikipia MCAs	Salaries Remuneration Commission	Discrimination on allocation of special mileage allowance for nominated members of the County Assembly	Pending forwarding of recommendations
42.NGEC/33/2014	F	Garissa County Assembly	Failure of County Assemblies Board to comply with the 2/3 gender rule principle	Matter ongoing

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
43.NGEC/32/2014	F	Directorate Of Public Prosecution Nakuru	Failure by the state counsel in Nakuru to properly prosecute defilement case	Psychosocial support provided to the complainant
44.NGEC/31/2014	F	Oscar Oduor	Sexual assault of a mentally challenged person	NGEC is watching brief in the matter that is before Makadara Law Courts
45.NGEC/30/2014	M	Kirinyaga County Provincial Administration	Mistreatment of the complainant by Kirinyaga Provincial Administration	Referred to Commission on Administration of Justice (CAJ)
46.NGEC/29/2014	F	FIDA Kisumu	Family dispute, complainant seeks maintenance from husband	Matter ongoing
47.NGEC/28/2014	NGEC	IEBC	Implementation of 2/3 Gender Rule on Gender top up list	Ongoing
48.NGEC/27/2014	KISII COUNTY PERSONS WITH ALBINISM	Kisii County Government	Discrimination based on disability	Matter pending forwarding of recommendations
49.NGEC/26/2014	M	Siaya County Public Service Board	Gender discrimination in appointment of county positions	Matter ongoing
50.NGEC/25/2014	M	Fly540	Discrimination of the complainant on grounds of disability	Matter concluded. File closed

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
51.NGEC/24/2014		Katelo Adano Galgalo	Defilement of a 13 year girl by an elderly	NGEC is watched brief in the matter, the case is pending judgement
52.NGEC/23/2014	F	Kenya Power	Employment discrimination on grounds of gender	Recommendations made and forwarded to Kenya Power
53.NGEC/22/2014	KENYA OBSTETRICAL & GYNAECOLOGICAL SOCIETY	Ministry of Health	Complainants were challenging the policy of the Ministry of Health with regard to the right to life and circumstances under which a health professional can advise on safe legal abortion in line with Article 26 of the Constitution	Matter ongoing
54.NGEC/21/2014	HAKI AFRICA	Mombasa County Assembly	Failure to meet the two thirds gender representation at the committees of the county assembly	Matter ongoing
55.NGEC/20/2014	F	Samburu County Public Service Board	Failure of County positions to meet the 2/3 gender rule principle and irregular appointments to the PSB.	Matter ongoing
56.NGEC/18/2014	M	Machakos Teachers College	Discrimination on grounds of disability/unfair termination of employment	File successfully referred to NCPWD. Case closed.
57.NGEC/17/2014	F	Nairobi County Assembly Speaker, Clerk, Minority Leader	Discrimination of nominated Members of the County Assembly by elected Members	Matter ongoing

REFERENCE NO.	GENDER/ORG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
58.NGEC/16/2014	M	Kenya School Of Law	Discrimination on grounds of disability in admission to the Kenya School of Law	Legal opinion was sent to the complainant. Matter closed
59.NGEC/14/2014	ANONYMOUS	Controller Of Budget	Tribalism in employment opportunities at the office of controller of budget	Matter ongoing
60.NGEC/13/2014	NCPWD	Central Bank Of Kenya	Retirement of Persons with Disabilities before the age of 65	Matter ongoing
61.NGEC/12/2014	F	Neighbours (Names Not Disclosed)	Discrimination based of an HIV individual by neighbours	Matter ongoing
62.NGEC/11/2014	M	Kenya National Highways Authority	Discrimination of persons with disability in awarding tenders by the National Highways Authority.	Complainant is irresponsible. Matter closed.
63.NGEC/9/2014	F	County Government Of Kajiado	Discrimination in appointments and inclusion of indigenous Maasai women to the Kajiado County government structures.	The complaint was successfully concluded
64.NGEC/8/2014	Org	Min Of Interior And National Coordination & Department Of Refugees Affairs	Discrimination of minority and marginalized. The Makonde, who are immigrants from Mozambique, complain that they have and still are being discriminated on the basis of their ethnicity. They complain that ever since their forefathers immigrated into Kenya they have never been issued with Identification Cards and are therefore surviving as a stateless community in Kenya.	Matter referred to UNHCR. File closed.

REFERENCE NO.	GENDER/ORIG	RESPONDENT	SUMMARY OF THE COMPLAINT	REMEDIAL ACTION
65.NGEC/7/2014	F	National Land Commission	Gender composition of shortlisted secretaries for the County Land Boards by the National Land Commission. The complaint highlights the lack of the 2/3rds gender principle implementation.	The case was withdrawn
66.NGEC/6/2014	NCPWD	David Kimaiyo/ National Police Service	Discrimination of police officers with disability. The legal officer of the National Persons with Disabilities Council wrote to the Commission to the effect that the National Police Service has failed to adhere to the rights of persons with disabilities within their ranks.	Matter ongoing
67.NGEC/5/2014	M	G.M . Njoroge; Machakos Land Registrar	Discrimination based on disability	Matter referred to National Land Commission
68.NGEC/1/2014	Org	Maseno University	Accessibility needs for deaf students in University. The complaint is characterized by lack of interpretative facilities, modalities and systems within the school and thereby resulting into inefficiency in educational delivery.	Went to the Maseno University conducted investigations and made recommendations

Of the 68 complaints 16 were by institutions 23 by male individuals and 29 by female individuals.

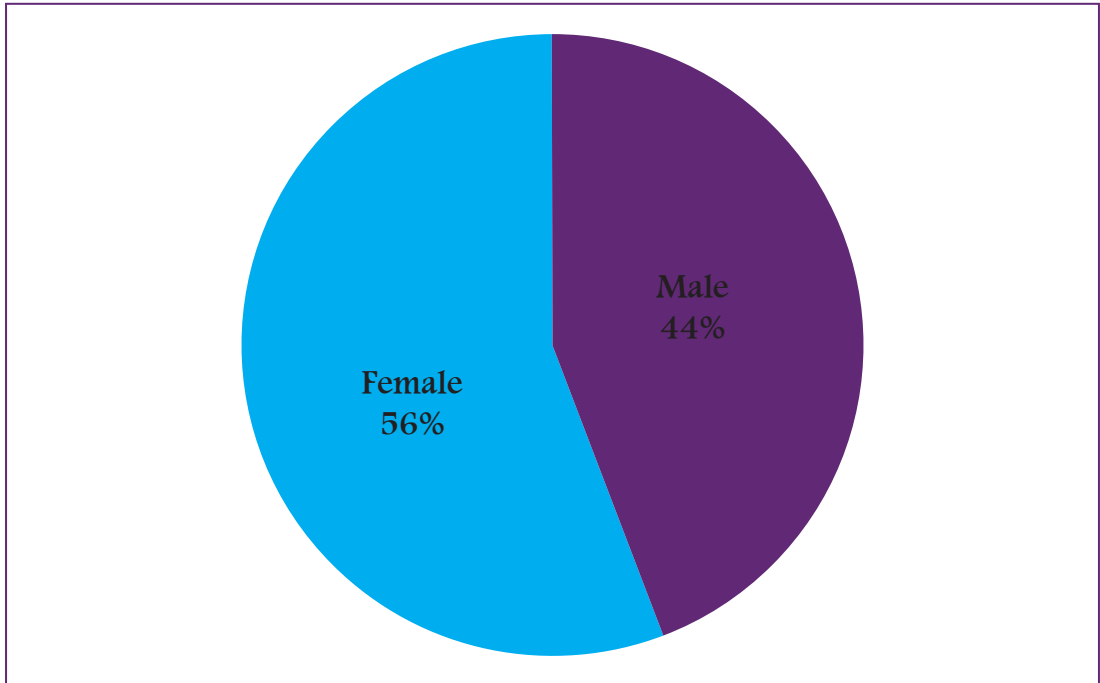


Figure 1.1 Complaints received disaggregated by gender

The chart shows majority of complains (56%), were on violation of rights of the female gender in the social, economic and political spheres as compared to their male counterparts.

2.1.5 International and Regional Reporting Mechanism

One of the core functions of the Commission is 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 including minorities and marginalized persons, women, persons with disabilities, and children”. In this respect, the Commission contributed and participated in reporting through various international and regional forums on issues of equality and inclusion with intent to:

- a) Influence international status reports
- b) Ensure State’s compliance with international reporting requirement
- c) Contribute in the International and Regional Economic Social and Political development agenda
- d) Inform international and regional agenda 2014/2015 and sustainable development goals 2015-2030 agenda

Table 8: International and regional reporting mechanisms

DATE	ACTIVITY	VENUE	OUTCOME
1 st – 8 th July 2014	UNAIDS High Level Consultation Conference.	South Africa	Proposals for establishing mechanism for integration of HIV objectives into existing social protection programs in selected countries. The Commission further made presentations on projects of social protection services in economic empowerment of vulnerable groups
29 th July – 2 nd August, 2014	5 th Session of United Nations Open Ended Working Group on Ageing (OEWGA)	New York	Presentation of Kenya's Country report position paper on older persons, recommended for need for a convention on older persons and the ageing
27 th – 29 th October, 2014	Experts' Group Meeting On Delivering On Human Rights And Social Inclusion In The Post 2015 Development Agenda : Equality, Quality & Accountability For Marginalized & Excluded Populations	Madrid Spain	Commission presented a paper on using National Human Rights Mechanisms to hold Government accountable on realizing sexual and reproductive health rights.
17 th -22 nd October, 2014	CAPAM 2014 Biennial Conference	Malaysia	Theme of the Conference, "Public Service Transformation – A New Conversation" Commission presented a paper titled "More heads are better than one: Gender equality, inclusiveness and freedom from discrimination for citizen – centred services"
1 st – 7 th November, 2014	Harvard University 2014 Global School on Sexual & Reproductive Health & Rights Litigation.	Boston, United States of America	Capacity building on Litigating Sexual and Reproductive Health rights.
2 nd – 6 th March, 2015	36th African Association of Public Administration And Management (AAPAM) annual roundtable Conference	Rabat Morocco	The Commission participated in the full sections of the AAPAM and presented a paper titled "Gender Equality and Inclusion for effective Partnerships for sustainable citizen-centred Development

DATE	ACTIVITY	VENUE	OUTCOME
22 nd - 27 th January, 2015	Kenya's human rights review under the Universal Periodic Report	Geneva, Switzerland	The Commission contributed in the development of the UPR Country report with wide range of recommendations on human rights issues in Kenya
21 st February- 1 st March 2015	Study Mission	South Africa	Capacity building for Commission Chairs of Article 59 of the Constitution on protection and promotion of human rights vide human rights Institutions
3 rd - 4 th March 2015	Public discussion in Beijing 20+ in Vienna Austria 3 rd - 4 th march 2015	Vienna (Austria)	Discussions on strengthening gender equality in the Post -2015 Development agenda.
9 th - 20 th March, 2015	Participation in the 59 th session of the Commission on the Status of Women (CSW) 2015	New York	The Commission submitted a report on progress made in the implementation of the Beijing Declaration and Platform for Action, 20 years after its adoption at the Fourth World Conference on Women in 1995. Prepared a paper on concluding observations
9 th - 12 March, 2015	East and South Africa Association of Accountants General (SAAG) Annual Conference	Dar es Salaam	Capacity building on Public Financial management for Socio-Economic Development in the Region
11 th - 18 th April, 2015	Exchange Visit to Norway	Norway	Capacity building on affirmative action in public and private sector with focus on strategies employed to effective implementation of equal representation of women in decision making platforms.
20 th April - 1 st May 2015	14 th Session of United Nations Permanent Forum on indigenous issues	UN HQ New York	Follow up to the Recommendation of the Permanent Forum also known as the World Conference on Indigenous People and Post 2015 Development Agenda.

Table 9: National and County reporting mechanism

DATE	ACTIVITY	VENUE	OBJECTIVE
24-26 th November, 2014	United Nations Development Framework Review forum	Nakuru	Mainstreaming equality and non-discrimination principles into county integrated development plans (CIDPs) and indicators
20 th January, 2015	Public sector remuneration policy	Nairobi	Commission contributed in review of the remuneration policy
27 th and 28 th August, 2014	Consultative Meeting on Accelerating the Attainment of MDG 5 in Kenya: Focus on the 15 Counties with the Highest Burden of Maternal Deaths	Nairobi	Sensitize Governors and County government teams in charge of health on the need for maternal health issues to be prioritized during county planning and budgeting processes; Chart the way forward for resource mobilization and coordination of the maternal health programme at county level.
11 th November, 2014	Meeting held between the Commission, NCIC and the Parliamentary joint committee on equal opportunities and national cohesion.	Nairobi	Exploring strategies for peace, cohesion and integration of communities.
12 th February, 2015	Meeting with doctor in charge of Naivasha District Hospital	Naivasha District Hospital	Fact finding mission to establish the facts leading to the closure of the Disability Resource And Information Centre (DRIC)
16 th – 17 th February 2015	Workshop on Integrating the Values and Principles of the Constitution and Rights Based Approach (RBA) into Health Service Delivery, organized by the Commission for the Implementation of the Constitution (CIC)	Kirinyaga	Capacity building on rights based approach in health service delivery; and briefing on the project the Commission for the Implementation of the Constitution (CIC) is undertaking on integrating constitutional values and principles in service delivery in three counties, and how they will be engaged during implementation.

DATE	ACTIVITY	VENUE	OBJECTIVE
13 th and 14 th February, 2015	Nomadic MCA's Caucus on disabilities organized by Northern Nomadic Disabled Person's organization (NONDO).	Nairobi	Mainstreaming and integrating the principles of equality and non-discrimination
26 th March, 2015	Meeting held between the Commission, Ministry of Education and National Council of Persons with Disabilities and the Departmental committee on Justice and legal affairs.	Parliament Buildings	Discuss petitions submitted by persons with disabilities seeking for harmonisation of The Persons With Disabilities Act, The CPRD and the Constitution in matters relating to the education of persons with disabilities.
26 th March, 2015	Meeting the Commission and KEDIPA (Kenya Disabled Parliamentary Association)	Parliament Buildings	Recommendations of the Technical Working Group (TWG) appointed by the Attorney General and the recommendations by the Commission on enhanced representation by persons with disabilities as envisaged under Article 100 of the constitution.
17 th June 2015	United Nations Development Framework Annual Report	Nairobi	Commission participated in reviewing information on progress of UNDAF implementation

2.2 PROVIDING COMPREHENSIVE AND ADEQUATE RESPONSE TO SGBV

2.2.1 Partnership on GBV prevention and response

Gender based violence (GBV) is a critical barrier to the realization of gender equality in the society. The commission convenes the National GBV working group meetings as one of the key priority strategic objectives to fast tracking issues related to sexual and gender based violence against women and men, girls and boys.

The membership of the cluster includes State and non-State actors for purposes of sharing information on progress made on interventions, emerging challenges, new strategies, and good practices in ensuring adequate prevention and response to GBV. The Commission has created a web based online forum <http://forum.ngeckenya.org/> to

facilitate information sharing by the national gender based violence working group. During period under review 28 meetings were held with significant achievement on critical GBV outcomes and indicators.

On 10th December 2014, the National GBV Working group commemorated the 16 days of activism with the launch of the National GBV Campaign dubbed ‘**Keeping the Promise to End GBV**’. The campaign targets duty bearers and seeks to increase awareness on GBV in Kenya, hold duty bearers accountable to their roles, influence budget allocation and ultimately contribute to reduction of GBV cases in Kenya. This is a three year campaign to be implemented in three phases with the first year holding duty bearers accountable to their role in prevention and response to GBV and raise awareness to rights holders on what to hold them accountable to in provision of services to GBV. The second and third year will be dedicated to raising awareness to survivors.

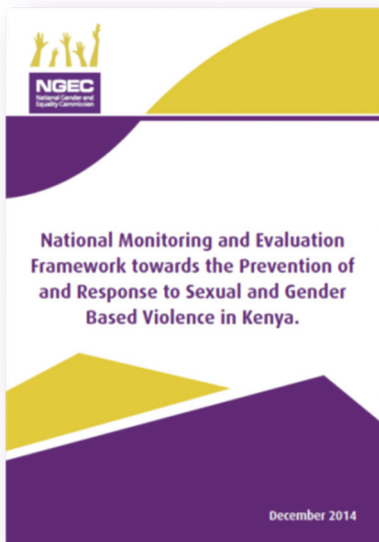
2.2.2 Monitoring Gender Based Violence (GBV)

There are significant efforts by various sectors, government ministries, departments and other agencies towards prevention and response to gender and sexual gender based violence in Kenya. However, there is glaring reality gap in data due to uncoordinated nature of data collection tools, indicators and reporting frameworks. This isolated response affects the quality, credibility and accuracy of data thereby affecting evidence that is most needed for policy and programmatic decisions. The national framework has in place policies to manage and coordinate issues of gender based violence. However, there is lack of a comprehensive monitoring and evaluation framework to guide, monitor and evaluate institutions on gender based violence.

KEEPING THE PROMISE END
GBV CAMPAIGN



Prevent GBV, Protect survivors
and Respond



The Commission in collaboration with key partners and stakeholders facilitated the development of a national multi-sectoral monitoring and evaluation framework on prevention and response to GBV in Kenya. The framework provides a centralized mechanism for monitoring progress towards prevention and response management. It aids in facilitating the availability of credible and reliable data to inform policy development and streamline submission of data for routine as well as periodic reporting for stakeholder's consumption and international reporting.

In the same period, the Commission jointly with International Training and Education Center on Health (I-TECH) with support from PEPFAR began development of a GBV Information management system that will operationalize the National SGBV framework.

2.2.3 Estimating the Cost of Providing services for Gender Based Violence (GBV) in Kenya

The Commission with support from United Nations Population Fund (UNFPA) commissioned a costing study to determine the budgetary implications of providing or up scaling GBV services to respond to and manage GBV for a period of five (5) years. The study has undergone various validation stages that are useful in informing the scope of the budgetary allocation to address GBV. Additionally, it received the highest quantity of feedback from the stakeholders and is in the process of finalization to ensure that all issues raised will be fully addressed. One of the key findings of the study revealed that of all the costs of provision of minimum package for GBV services, legal costs consumed the largest share of resources. An additional finding was that over 90% of resources for GBV services are provided by development partners.

2.2.4 Research study on the Cost of Gender Based Violence to Survivors and Perpetrators

The commission with support from the United Nations Women agency (UN Women) embarked on a research study to determine the economic burden of Gender Based Violence from a survivor's perspective. Preliminary findings of the study indicate that the productivity losses from serious injuries were estimated at about KES 25 billion and from minor injuries at KES 8 billion. The loss translated to about 1.1% of Kenya's gross domestic product. The study further revealed that perpetrators and their families similarly incur heavy losses arising from incarceration, litigation, social stigma court and loss of time and productivity.

2.3 MAINSTREAMING ISSUES OF SIGS IN THE DEVELOPMENT AGENDA AT NATIONAL AND COUNTY GOVERNANCE SYSTEMS AND IN THE PRIVATE SECTOR.

2.3.1 Kenya's First Status Report on Equality and Inclusion

In effort to provide data for evidence based programming on equality and inclusion at national, county and private sector, the Commission launched in April 2015 commencement of data collection to inform the first Country status report. The project is undertaken in conjunction with the Kenya Institute of Public Policy Research Analysis (KIPPRA) and is expected to be ready for dissemination by end of financial year 2015/2016. The report is expected to enumerate various forms of inequalities disaggregated by special interest groups and fields that Kenya is doing well to reduce exclusion. The study will be undertaken in all the 47 counties and will cover a few private sectors as well.

2.3.2. Status of the Boy Child in Kenya

The Commission conducted an assessment in eight counties in Kenya to find out if emerging perceptions on the exclusions of the boy child in the gender equality agenda are valid and identify the key drivers of this exclusion. The assessment was conducted in Kiambu, Kakamega, Kisumu, Embu, Garissa, Kericho, Mombasa and Kilifi.

The results of the assessment indicate that the boy child is perceived to be lagging behind the girl child in the gender equality agenda. Majority of the respondents expressed fear that if no intervention is given the boy child would be left behind especially in education since there has been over emphasis on the education of the girl child.

In order address the emerging issues facing the boy child, the Commission has made various recommendations to both National and County Governments. County governments should seek to build a strong foundation through Early Childhood Development, create awareness of rights of the child at grass-root levels and ensure that cultural practices do not interfere with boy child's enjoyment of the right to be children and to enjoy quality education as a solid foundation for future prosperity. The report of the assessment will be launched in early 2015/2016.

2.3.3 Public Inquiry into Child Pregnancy

The Commission organized public inquiries into child pregnancy that brought together children, caregivers, state and non-state actors giving testimonies regarding child pregnancies in the country. The inquiry hearings were carried out in Busia, Kwale, Homa Bay, Nakuru and Nairobi counties respectively with the view to inquiring into

the violations of rights of children and have appropriate recommendations for both State and non-State actors.

The enquiry statistics indicate that teenage pregnancy is predominant in Kenya and an inhibition to attainment of basic education to children. Preliminary outcomes of the enquiry have provoked interest among key stakeholders including the criminal justice system. In the next financial year, the Commission will hear views from the experts working on issues of rights for children's including Judiciary, the office the Director of Public Prosecutions, the Police, Prisons, Ministry of Education, Ministry of Children and Social Services, Civil Society Organizations among others. The inquiry will culminate in a report that will be formally launched.

2.3.4 Audit of Equality and Inclusion in Charitable Children Institutions

In November 2014, the Commission conducted an audit to assess integration of the principles of equality and inclusion in 16 Charitable Children Institutions (CCIs) in Kenya. The study was undertaken in Nyandarua, Meru, Siaya and Bungoma. The objectives of the audit were to establish the status of Charitable Children institutions, establish factors that drive children to charitable children institutions and assess the level of integration of the principles of equality and inclusion in children social protection sector.

The findings of the audit revealed that there are no specific guidelines on standards of basic shelter, accommodation or physical environment of the charitable children institutions. In essence, the size and design of a home is determined by what the owner can afford and the result is that while some CCI's are extremely dilapidated, others have very modern infrastructure and were very well maintained. Further, Charitable Children Regulations of (2005) do not define the standards for infrastructural development which further explains the extreme variations in the hygiene, ventilation, sanitation and maintenance of facilities in CCI's.

Based on the findings, the Commission recommended a review of the Children's Act (2001) and Charitable Children's Regulations (2005) to specify minimum standards for infrastructure, staffing and placement of children and to be in tandem with 2010 constitution of Kenya.

2.3.5 Audit of Free Maternity Services in Public Health Facilities

Between November 2014 and June 2015, the Commission conducted an assessment of the provision of free maternity services in public health facilities in four randomly selected counties; Busia, Laikipia, Kilifi and Nyeri. The objective of the assessment was to establish how equality and inclusion principles have

been applied in the program and the outstanding benefits to special interest groups. In conducting the assessment, particular attention was given to the capacity of public health facilities to provide free maternity services and the challenges they face.

The findings of the assessment indicate an upsurge in the number of clients seeking maternity services in public health facilities, thus overstretching the capacity of the health facilities that have acute shortage of staff, inadequate and poor infrastructure and equipment. A report of the audit will be shared with the national and county governments in the next financial year, with recommendations on how to improve and make maternity services more accessible to all mothers regardless of their status.

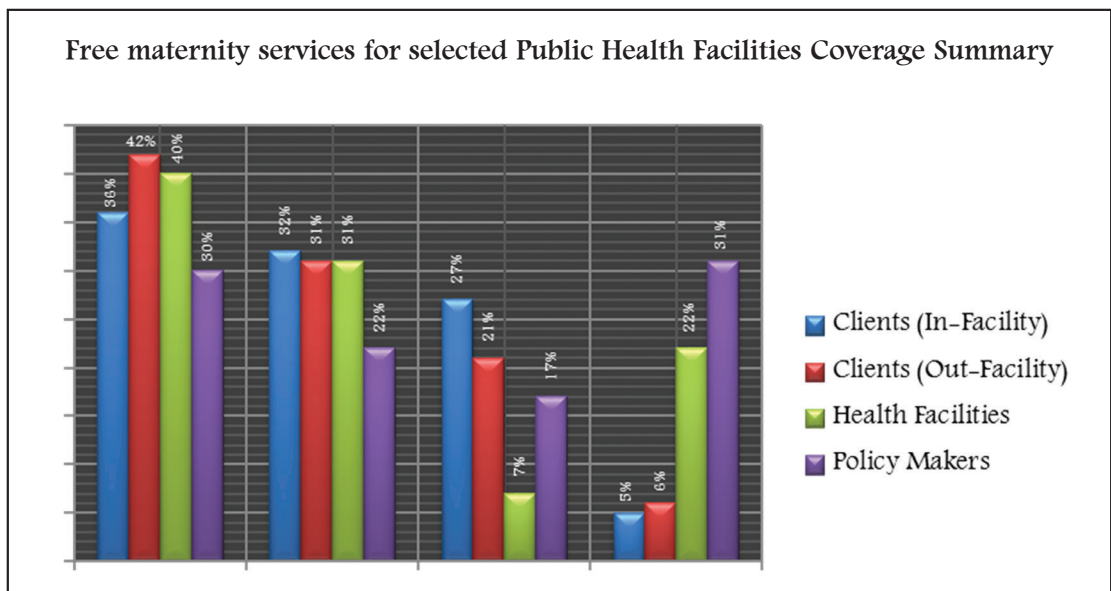


Figure 1.2 Summary of the Coverage of the Assessment of Provision of Free Maternity Services in Public Health Facilities from 4 Counties

2.3.6 Audit of county governments' compliance with national and international legislative provisions on Gender Based Violence (GBV)

In August 2014 and June 2015, the Commission conducted an audit on 4 county governments (Migori, Kwale, Meru and Kisumu) regarding their compliance with provisions on legislations on Gender Based Violence (GBV). County governments are expected to comply with national and international laws and legal instruments and where feasible develop pieces of legislation of their choice to effectively protect vulnerable populations against gender based violence. During this audit, the Commission sensitized the Council of Elders in each of the counties on the use of formal

justice systems in the prevention and response to Gender Based Violence. The Council of elders is an established community institution and system that can be used to arbitrate and settle complaints and disputes that are not of a criminal nature, while criminal matters should be adjudicated by the court system. The audit was also used as a platform to sensitize county governments and council of elders on the existing legislation on GBV. A total of 155 members of Council of elders participated in the activity.

2.3.7 Access to Education by Children with Disabilities

In the month of April, 2015, the Commission conducted an assessment at National and County levels on access to education by children with disabilities in seven counties (Isiolo, Nyeri, Tharaka Nithi, Elgeyo Marakwet, Taita Taveta and Kisii). The assessment sought to understand the status of children with disabilities and the strategies employed by various stakeholders in ensuring access to education for these children.

Overall, findings showed that attempts have been made by the government in supporting access to education for children with disability. However, the following

among other outstanding challenges and issues were also noted;

- a) Lack of a clear implementation framework in the Special Needs Education policy,
- b) Inadequate funding,
- c) Insufficient teachers with the right skills to teach children with disability and
- d) The need for more adaptations of the curriculum.

Based on the outcome of the assessment, the Commission provided actionable recommendations to various stakeholders. The recommendations included;

- a) Need for general data on children with disabilities.
- b) The government to consider raising the current budgetary allocation directed to schools with PWD and to provide clear guidelines on the use of funds and to ensure effective audit.
- c) In reference to the central role played by EARCs in the education of children with disabilities, county governments should increase their number and allocate adequate funds to facilitate the implementation of their mandate.
- d) There is need to draft legislation to guide the sector on education for children with disabilities

2.3.8 Audit of Selected Institutions for the Elderly

One of the milestones in the 2010 Constitution is the expanded rights under Article 27 on the protection of opportunities for various

categories of special interest groups that otherwise had been ignored. In its endeavor to ensure equality in social protection programs, the Commission conducted an audit of the institutions offering services to older persons in Kiambu, Kericho, Vihiga, Machakos, Nairobi and Kajiado Counties. Article 57 provides that the State will take measures to ensure the rights of older persons

- a) to fully participate in the affairs of society;
- b) to pursue their personal development;
- c) to live in dignity and respect and be free from abuse; and
- d) to receive reasonable care and assistance from their family and the State.

The audit aimed at describing the status of older persons' homes in selected regions and to establish the level of adherence to the principles of equality and inclusion by such institutions.

The findings of the audit revealed that institutions lack reliable and predictable means of funding. Most homes depend on resources drawn from well-wishers. In spite of the constraints, these institutions are playing a crucial role in alleviating suffering and improving the quality of life to older persons in society. Among the recommendations made is the need to strengthen social protection of the elderly persons in the society through establishment of fully equipped elderly homes and putting programs for full protection of rights of older members within the families.

2.3.9 Framework for Realization of the Not More Than Two-Thirds Gender Principle.

On 3rd February 2014, the Commission was appointed the convener and secretariat to a Technical Working Group (TWG) established by the Hon Attorney General to find a plausible framework for the two-thirds gender principle. The membership comprised of National Gender and Equality Commission (NGEC); Ministry of Devolution and Planning, Attorney General's Office, Office of the Registrar of Political parties; Independent Electoral and Boundaries Commission; Commission on Administrative Justice; Commission on the Implementation of the Constitution; Parliament (Committees of the National Assembly and Senate dealing with the implementation of the Constitution and Legal Affairs, respectively); Kenya Women's Parliamentary Association- and FIDA -Kenya.

The TWG over the past year concluded its work after elaborate consultation with Constitutional experts, International experts on elections, Political Parties, Civil Society Organisations representing the different Special Interest Groups, Parliamentary Committees including: Justice and Legal Affairs Committee, Parliamentary Committee

on Labour and Social Services, Senate Committee on Legal Affairs and Human Rights, Kenya Disability Parliamentary Association, Committee on the Implementation of the Constitution, Maendeleo ya Wanawake, National Cohesion and Integration Commission, Constitutional Commissions policy makers, Human Rights Caucus, Women County Representatives, Kenya Women Parliamentarians, UN Agencies and development partners.

The Technical Working Group presented the options as follows:

- **Option 1:** Lifting the Provisions of Article 177 (b) and (c) To Articles 97 & 98 of the Constitution of Kenya 2010
- **Option 2:** Increasing the County Women Seats in the national Assembly
- **Option 3:** Proportionate County Women Seats in the national Assembly
- **Option 4:** Tripling Forty-Seven County Women Seats in the National Assembly
- **Option 5:** Gender Incentives
- **Option 6:** Gender Quota for party strongholds
- **Option 7:** Rotational Seats for affirmative Action
- **Option 8:** Best Runners Up
- **Option 9:** Reconfiguration of constituencies
- **Option 10:** Voting for party ticket (Twinning)

For each option, the Commission prepared merits and disadvantages and cited their practicability within the current Kenyan electoral system. Of the ten options, the Commission proposed option 1 namely: **Lifting the Provisions of Article 177 (1) (b) and (c) to Articles 97 and 98 of the Constitution of Kenya 2010.** The TWG recommendations were submitted in the Constitution of Kenya (Amendment) (No. 4) Bill of 2015 awaiting deliberations by the Parliament.

2.3.10 Scheme on Compliance with Principles of Equality and Inclusion in the Private Sector

In 2014 the Commission rolled out a framework for integrating principles of equality and freedom from discrimination in the private sector. The initiative is part of the expanded program rolled out in the public entities and in the national and county governments since 2012. The initiative dubbed *EIPS* (Equality and Inclusion in Private Sector) focuses on promotion of substantive gender equality and inclusion in the private sector including in employment, planning and programming, corporate governance and investment, social corporate responsibility and development agenda

with a focus on the participation and inclusion of constitutionally protected groups such as persons with disabilities, women, elderly, youth, children, minority and marginalized communities and groups.

The commission also designed a study to assess the status, document best practices and gaps in equality and inclusion in the private sector. The study was conducted on three purposively sampled companies namely, Nation Media Group, Safaricom and Equity Bank of Kenya. Study findings suggested that the private sector is becoming more responsive to issues of equality and inclusion. The adherence to provisions is largely documented in company manuals and policies.

The study further shows that the private sector still needs technical support to fully mainstream and operationalize equality and inclusion as envisaged by the NGE Act 2011. The Commission will therefore work together with Kenya Private Sector Alliance and other agencies to develop benchmarks and standards on equality and inclusion in the private sector.

As a commencement to this commitment, the Commission in November 2014 partnered with the Kenya Institute of Management in the 2014 Company of the Year Awards (COYA) to ensure integration of the principles of equality and inclusion in the private sector.

2.3.1.1 Consultative Forum on Marginalized and Minority Issues

In order to exchange ideas and information on the role of each stakeholder involved in addressing issues of minority and marginalized, discussions on issues affecting minority and marginalized required an elaborate forum with a wider participation of representatives from all the interested and affected stakeholders. The Commission held an inaugural consultative forum in Machakos County to plan and raise issues of minority and marginalized. Citings from technical papers were presented and discussed by the participants as follows;

- a) Legal framework guiding marginalized and minority issues in Kenya;
- b) National Government's initiatives on marginalized and minority Issues;
- c) Constitutional Commissions mandates and initiatives in addressing issues facing marginalized and minority groups;
- d) Understanding marginalized and minority issues: Perspectives of indigenous communities and
- e) United Nations engagement with marginalized and minority issues

Important issues affecting the marginalized and minority were identified and discussed including possible corresponding interventions. Some of the issues included security of land tenure (conflicts, evictions and dispossessions), preservation of Indigenous People's (IPs) cultural heritage and lack of prior, free,

informed consent (consultations) before and when undertaking projects with implications on IPs livelihoods. Several proposals were raised on how to ensure full realization of the rights of marginalized and minority groups and communities particularly through promotion of active participation in governance and development processes under the devolved system and structures. Expedient implementation of recommendations provided in reports and court rulings on issues affecting marginalized and minority groups and communities were considered critical in order to remedy the situation among other recommendations.

2.3.12 Baseline Assessment of Counties Gazetted for Equalization Fund

The Constitution of Kenya 2010 creates a devolved governance structure that promises to bring development to all parts of the country. In relation to the above provisions, the Commission undertook mapping of equality and inclusion initiatives in selected 8 counties; Tana River, Kilifi, Kwale, Isiolo, Marsabit, Samburu, Wajir and Garissa counties gazetted to assess effectiveness of county machinery in mainstreaming issues of special interest groups (SIGs) before receipt of equalization funds. The exercise mapped out the County governments initiatives in improving water, healthcare and infrastructure sectors before the operationalization of

the Equalization Fund. The preliminary findings show the level of inequality faced in those counties and also the milestones that the county governments have achieved. Among the initiatives mapped include; water projects, maternity units in dispensaries, refurbishment of feeder roads among others. The baseline will be extended to the remaining six counties in the next financial year.

2.3.13 Audits of Affirmative Action in Employment and Education Sectors in Devolved Government.

The Constitution of Kenya 2010 promises radical changes in the management of the country's affairs and gives greater freedom to communities through participation in the devolved system. However, it creates new avenues through which deepened cases of marginalization and disparities can emerge. The inequalities experienced require the need for affirmative actions, measures and programs to be taken by the County Governments to address the injustices and ensure realization of human rights

In 2014/2015, the Commission continued with a project initiated in 2013/2014 to monitor affirmative actions in the devolved governments to entrench access to justice and realization of human rights for the minority and marginalized groups and communities in employment and education sectors. The Commission audited 10 counties with preliminary findings indicating that in employment, minority

and marginalized groups and communities are underrepresented in upper and middle cadre and in the education sector; there are little initiative to their inclusion.

2.3.14 Mapping Ethnic Minorities and Marginalized Communities in Kenya

The NGEN Act 2011 mandates the Commission to conduct and coordinate research activities on matters relating to equality and freedom from discrimination and conduct audits on the status of special interest groups. Pursuant to the aforesaid mandate, the Commission in 2014/2015 began the mapping of ethnic minorities and marginalized groups in Kenya. The mapping intended to identify county specific issues affecting them, their spatial location and distribution and profile minority and marginalized groups. By end of the financial year, the Commission had completed the mapping in 30 counties. The remaining counties will be covered in the 2015/2016 financial year.

The Commission intends to gazette the findings and the profile generated will be used to among other things inform government policy on mainstreaming issues of minority and marginalized groups and communities. The results may be used by political parties and government to generate party lists in future general elections or for use in determining candidates for appointive and nomination positions.

2.3.15. The 2014 International Cooperative Summit on the Issues of Minority and Marginalized

Cooperatives have effective ways for people to exert control over their economic livelihoods. They provide a unique tool for achieving one or more economic goals in an increasingly competitive global economy. The Commission participated in International Cooperative Summit 2014 to highlight the challenges and way forward on cooperative issues touching on youths and women from minority and marginalized communities and groups.

2.3.16 Gender Mainstreaming Levels in the Public Sector

The Commission has in the past two years taken leadership in monitoring compliance with principles of equality and inclusion in the public sector. The Commission included critical indicators in the 11th performance contracting cycle, which were an improvement from the 10th performance contracting cycle.

Reports on analysis of trends in gender mainstreaming in public institutions for the financial year 2014/2015 established that the institutions were compiling and utilizing the sex disaggregated data to inform programming. However, the institutions lacked data on persons with disabilities and have inadequate monitoring system for disability issues.

The exercise established that out of the 210 public institutions, 161 had formulated their own internal gender

mainstreaming policies while 135 had developed a workplace GBV policy. All 210 public institutions have put in place processes and structures to institutionalize gender equality issues. The audit revealed three quarters of institutions analyzed had limited knowledge with regards to gender responsive budgeting.

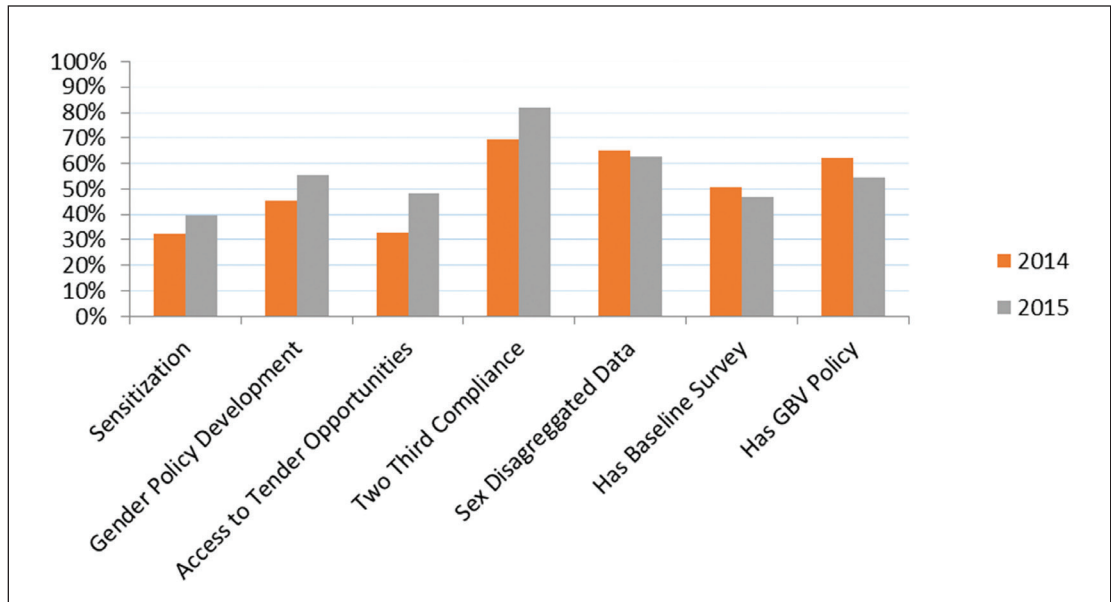


Figure 1.3 Monitoring indicators on gender mainstreaming in public sector

2.3.17 Equality and Inclusion among Pastoral Communities

Kenya Pastoralist Week (KPW) is an annual multi-stakeholder partnership project that brings together pastoralists, pastoralists' associations, government, private sector, academia and mainstream civil society to articulate and jointly recommend solutions to the key challenges affecting pastoralists and pastoralism as a source of livelihood in Kenya and East Africa as a region. The Commission joined other stakeholders to discuss issues of equality and inclusion among pastoral communities through participation in the Kenya Pastoralist Week in Narok County.

The Commission articulated and jointly with other stakeholders recommended solutions to the key challenges affecting pastoralist's participation in County governance among them high illiteracy levels and nomadic life style. The occasion was also used to celebrate alternative rites of passage for the girl and boy child to curb female genital mutilation and moranism.

2.3.18 Standards for the Realization of Right to Health

In November 2014, the Commission held a consultative meeting with 5 directorates of the Ministry of Health to discuss the minimum standards required for the realization of right to health in line with the Constitution and other written laws. Subsequently, a framework for engaging county governments, civil society organizations, constitutional Commissions and academia was developed in order to develop a comprehensive and commonly shared document with standards that will be useful in ensuring all Kenyans enjoy their right to health. The framework will be discussed with communities before finalization.

2.3.19 M&E Framework on Equality and Freedom from Discrimination

The Commission facilitated the development of the Monitoring and Evaluation results framework for monitoring progress towards integration of principles of equality and inclusion in public and private sector. The process involved intensive consultative session and negotiation for critical indicators to monitor in the first edition of the framework. The framework provides a comprehensive evidence-based mechanism for tracking progress towards the achievement of gender equality and freedom from discrimination at different levels including communities, government ministries and agencies. The framework constitutes a pre-requisite factor for development of an information management system on equality and inclusion in Kenya. It provides information on types of indicators for measurement and scope for data collection. The framework is scheduled for launch and subsequent dissemination in the next financial year.

2.3.20 Equality & Inclusion Management Information System

As a process towards development of the information management system, the Commission conducted a system requirement specification exercise to document existing data, gaps and information system requirements for an integrated multi-sectoral web based database for hosting information on gender equality and non-discrimination. This report provides the conceptual basis for development of an all-inclusive information management system for the Commission to respond to function (n) that requires NGEC to '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'.

2.4 ADVOCATING FOR FINANCING OF SUBSTANTIVE EQUALITY AT ALL LEVELS

2.4.1 Gender Responsive Budgeting (GRB)

In 2014/15 the Commission confirmed that majority of Chief Officers are informed on gender responsive budgeting, the importance of public participation in the budget making process, and how gender responsive budgeting affects men and women, boys and girls at different levels. The assessment was done in three counties namely Uasin Gishu, Busia and Bungoma basing on the county budgets 2014/15. The findings shows that training on gender responsive budget is useful and has since influenced budget allocation and informed budget strategy papers for the counties stated.

At the national level, two gender equality and inclusion analysis were commissioned with one being a pre national budget analysis for FY 15/16 with a focus on trade. The second was a post national budget analysis for the same year and with particular focus on trade and agriculture (classified by recurrent and development expenditure) to determine the changes in budget allocation on gender equality commitments.

The pre-budget analysis found out that the government had put aside resources to ensure equality and inclusion. Findings of the study will be disseminated to the budget appropriation and allocation committee and its equivalent at National Assembly, Senate and select county assemblies.

3.0 PUBLIC EDUCATION, COMMUNICATIONS & ADVOCACY

3.1 Lobbying for the Realization of the not More Than Two Thirds Gender Principle

By the end of the 2014/2015 financial year, the Commission had conducted 118 structured meetings in this subject and made 58 media appearances discussing the principle. In order to gain national support for the realization of the not more than two thirds gender principle, the Commission designed a multimedia campaign strategy dubbed “*Tubadili, Tusitawi Pamoja*” which calls for



partnership between men and women for sustainable development. The campaign carries a strong community based advocacy plan and actions around political representations with effect to re-sensitizing citizens, political, faith and community leaders as well as private sector about the economic and social value of equity and inclusion.

County debates on Two-Third Gender Principle

As part of the lobbying strategy, the Commission held sensitization debates at County levels on two-third gender principle and Article 100. Through these forums, the Commission engaged stakeholders working with the special interest groups in supporting the proposed strategies for implementation of the not more than two-third gender principle and Article 100b. The debates were held in Kajiado, Nyandarua, Tharaka Nithi counties, Embu, Garissa, Wajir, Machakos, Thara-Nithi, Makueni, Kitale, Elgeyo Marakwet, Turkana, Kiambu, Kirinyaga, Nyeri, Kisumu, Kakamega, Vihiga and Nyamira.

3.2 International Youth Day

The Commission joined the rest of the world in celebrating the International Youth

Day. During the celebrations, the Commission released a policy statement/advisory with specific focus to youth and mental health. The policy emphasized inclusion of the youth in the development agenda recommending that:-

- a) Youth participation should be ensured at all levels.
- b) The government improves access to skills training for the youth to be able to get gainful employment
- c) The Ministry of Education ensures that tertiary training is in line with needs of the employment sector.
- d) The Ministry of Health ensures that there are adequate youth friendly health facilities in all parts of the country. These should include mental health facilities including those dedicated to drug rehabilitation among others.
- e) The government puts adequate investment in recreational activities that meet the needs of the youth.

3.3 Production of Educational Materials

The Commission uses a range of IEC materials to disseminate important information about the Commission's work and interventions. During the reporting period the Commission produced the following materials. Brailled versions were also prepared.

NGEC Publications

NO.	PUBLICATION NAME	PRIMARY TARGET AUDIENCE
1.	Flares of Marginalized among Selected Minority Communities in Kenya	Communities
2.	Role of the Minority and Marginalized Communities in Kenya in Reduction of Emerging Exclusion and Inequalities in Land and Natural Resource Management	Government Agencies
3.	The Long Journey to Inclusion of the most Vulnerable in Society in Political Representation at the County Level	Communities and non-State actors
4.	Equality and Inclusion in the Private Sector - EIPS	Private Sector & Government
5.	Watching Targets and Performance of MDGs for Women and Girls	Government Agencies
6.	National Monitoring and Evaluation Framework Towards The Prevention of and Response to Sexual and Gender Based Violence in Kenya	All actors
7.	Expanding Space for Equality and Inclusion in Delivery of Drug Rehabilitation Services in Kenya	Government and Private sector

NO.	PUBLICATION NAME	PRIMARY TARGET AUDIENCE
8.	Equality and Inclusion in Charitable Children's Institutions	Government and Private sector
9.	Guidelines For Responsive Budgeting (GRB) in Kenya 2014	Government and Private sector
10.	Gains and Gaps on Gender Mainstreaming in Public Sector in Kenya	Government and Private sector
11.	A Guide for County Government Leadership Integration of Gender Equality and Inclusion in County Development	Government and Private sector
12.	Participation of Women and Youth in the Informal Business Sector	Government and Private sector
13.	Whipping Wisdom Rapid Assessment on Violence Against Older Persons in Kenya	Government and Private sector
14.	Participation of Vulnerable Populations in their own Programmes	Government and Private sector
15.	Aging of Older Populations an Urgent Call for Kenya	Government and Private sector
16.	Strategic Plan	Government and Private sector
17.	Annual Report 2013/2014	Government and Private sector
18.	Learning Mission	Government and Private sector

3.4 Institutional Visibility

During the reporting period, the Commission leveraged on multiple media platforms to increase its visibility. The Commission pronounced itself on various policy issues through mainstream TV, Radio, and Newspapers as well as on institutional website www.ngeckenya.org. By the end of the reporting period the Commission had increased its social media reach on Facebook by 30%.

3.5 Development of an Institutional Communication Strategy

Given the important mandate bestowed on NGEK, and in order to achieve NGEK's priority strategic objectives, in 2014/15 the Commission focused on the development of an institutional communication strategy that seeks to contribute to enhanced internal efficiency in communication on matters of equality and freedom from discrimination.

4.0 INSTITUTIONAL CAPACITY BUILDING AND DEVELOPMENT

4.1 Human Resource

The Human Capital for an institution is a crucial and integral part of success. The approved staff establishment for the Commission stands at 470. The Commission currently has 53 staff which represents 11% of its optimal level. This understaffing limits the achievement of the Commission core mandate.

To address these limitations, the Commission sought assistance from the GOK through deployment as follows:-

a) Deployment from Government	6
b) Attached (Security personnel)	5
c) UN Volunteers	2
d) Interns	10
e) Attachees	7

During the reporting period, the Commission invested in the development of staff competencies, skills and abilities through training and development programs in the following disciplines:-

- a) One week session of Procurement Committees (Tender, Procurement and Evaluation) on their roles and responsibilities as provided by the PPOA Act, rules and regulations
- b) Two weeks IFMIS training (GOK payment system) for personnel in Finance and Accounts, Internal Audit and Procurement departments

The Commission will continue to invest in human capital through professional short term training to generate competent, qualified and motivated workforce to deliver on its constitutional mandate.

4.2 Information and Communication Technology

The Commission completed installation of structured cabling data and voice network at the Headquarter office to enhance communication between staff and external stakeholders. The Commission further embarked on development of complaints database to help in logging in and referral of complaints. To begin with, the Commission designed a Sexual and Gender Based Violence Information System to

track violation incidents and provide a follow-up mechanism. The Commission also created a web based online forum to facilitate information sharing with the National government

4.3. Procurement:

In the 2014-2015, the Commission complied with the presidential directive on Access to Government Procurement Opportunities (AGPO) and awarded approximately 36.9 % of procurement contracts to youth, women and Persons with Disabilities (PWDs). The Commission undertook refurbishment of NGEK Offices at the Headquarters and three regional offices in Nakuru, Kisumu and Garissa. The refurbishment has improved work environment for staff and stakeholders. Further, the Commission submitted statutory reports to the Public Procurement Oversight Authority as required by PPDA, 2005

4.4 Devolution Strategy

The Commission has established three regional offices in Garissa, Nakuru and Kisumu. The main purpose of these offices is to take the commissions

function closer to the citizens. The Commission has developed a devolution strategy paper which is used to guide its operations and delivery of services at the County level beyond the three regional offices.

4.5 Monitoring County Specific Interventions

Through relevant departments, NGEK implemented various programmes activities on themes touching on issues on equality and non-discrimination in relation to special interest groups. A framework established at the Commission ensures effectiveness in monitoring the interventions at county levels for purpose of informing future programming, prioritization and targeting for equity and optimization of resources.

Data extracted from the framework shows the Counties visited and frequency of visits by time as summarized in figure 2. The Commission interventions occurred mostly in Mombasa and Kilifi and least in Turkana and Pokot Counties. Interventions in the next financial year will target least visited counties.

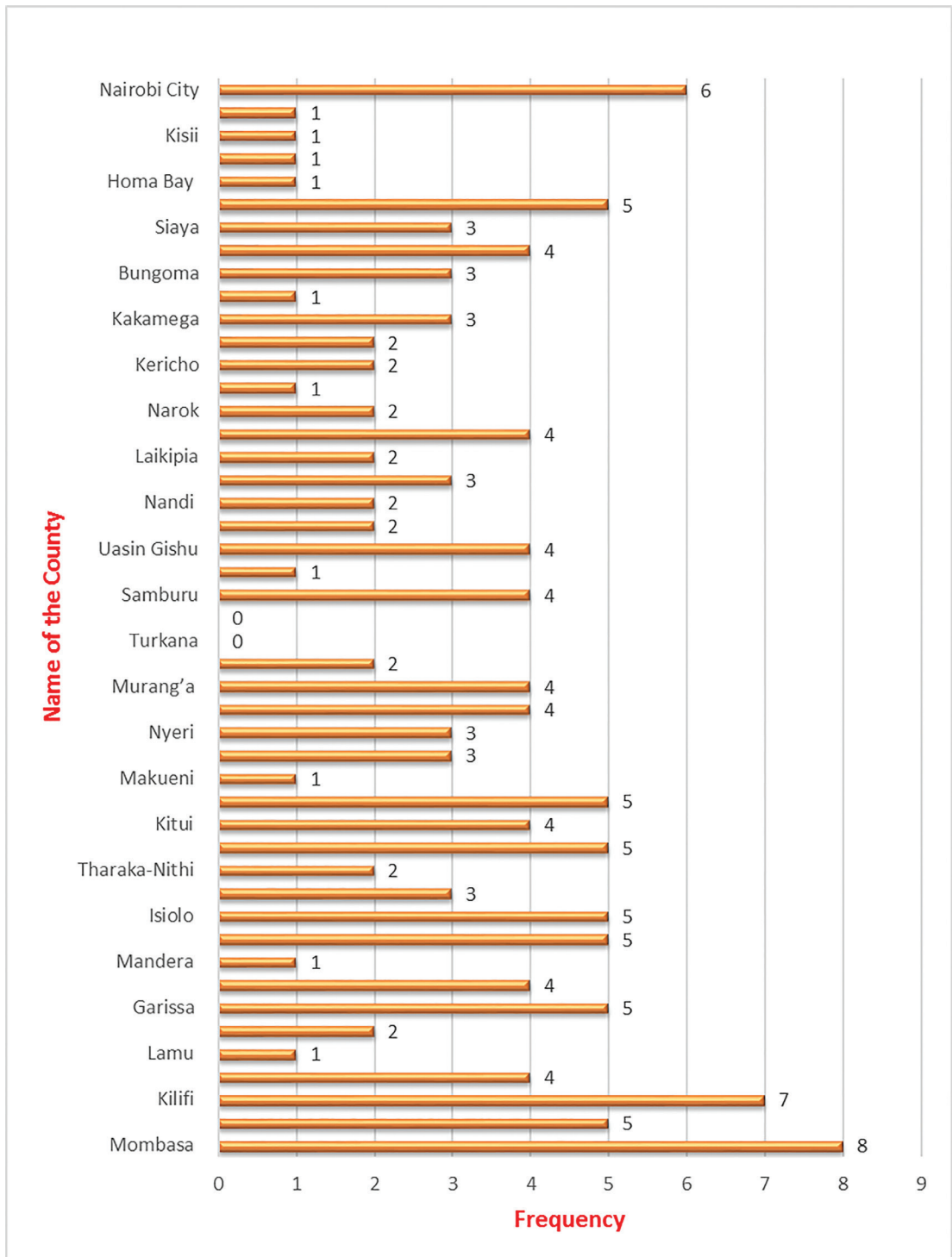


Figure 1.4 Internal performance; Intensity and frequency of NGEN interventions by county 2014/2015

5.0 AUDIT REPORT AND FINANCIAL STATEMENTS

REPUBLIC OF KENYA



OFFICE OF THE AUDITOR-GENERAL

REPORT

OF

THE AUDITOR-GENERAL

ON

**THE FINANCIAL STATEMENTS OF
NATIONAL GENDER AND EQUALITY
COMMISSION**

**FOR THE YEAR ENDED
30 JUNE 2015**

REPUBLIC OF KENYA

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P.O. Box 30084-001
NAIROBI

OFFICE OF THE AUDITOR-GENERAL

REPORT OF THE AUDITOR-GENERAL ON NATIONAL GENDER AND EQUALITY COMMISSION FOR THE YEAR ENDED 30 JUNE 2015

REPORT ON THE FINANCIAL STATEMENTS

I have audited the accompanying financial statements of National Gender and Equality Commission set out on pages 6 to 22, which comprise the statement of financial position as at 30 June 2015, and the statement of receipts and payments, statement of cash flows 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 8 of the Public Audit Act, 2003. I have obtained all the information which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

Management's Responsibility for the Financial Statements

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 such 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.

The management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 7 of the Public Audit Act, 2003.

Auditor-General's Responsibility

My responsibility is to express an opinion on these financial statements based on the audit and report in accordance with the provisions of Section 9 of the Public Audit Act, 2003 and submit the audit report in compliance with Article 229(7) of the Constitution of Kenya. The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). Those standards require compliance with ethical requirements and that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error.

National Gender and Equality Commission – Annual Report and Financial Statements for the year ended 30 June 2015

possible to confirm that the value for money was obtained in the expenditure totaling Kshs.9,750,626.25.

3.0 Irregular Issuance of Imprests

The Commission made payments in form of imprests totalling Kshs.13,032,623.95 using payment vouchers that were paid to various officers including the Commissioners to undertake various activities across the country. No reason has been given for issue of imprest without imprest warrants.

In addition, twenty five (25) officers were issued with additional Imprests totalling to Kshs.10,965,230.95 before surrendering the amounts previously issued contrary to the financial regulations in place.

4.0 Inaccuracies of Financial Statements

4.1 Accounts Payable

The statement of financial position as at 30 June 2015 reflects financial year 2013/14 comparative balances of Kshs.2,546,040.00 against accounts payables (deposits), of which the previous year's audited statement reflects a Nil balance. The net financial position of Kshs.15,689,378 also differs with the same amount. No justification has been provided for these variances.

4.2 Cash flow Statement

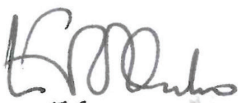
The statement of cash flow reflects erroneous balances brought forward from 2013/2014 as shown below: -

Description		Balance as per statement for 2013/2014 (Kshs.)	Balance as per statement for 2014/2015 (Kshs.)	Difference (Kshs.)
1.	Changes in accounts payable	Nil	2,546,040.00	2,546,040.00
2.	Net Cash flows from operating activities	40,511,000.00	180,981,960.00	140,470,960.00
3.	Net increase in Cash and Cash Equivalent	9,917,000.00	7,370,960.00	2,546,040.00

Consequently, it has not been possible to give an opinion on the accuracy of the balances in these financial statements for the Commission as at 30 June 2015.

Adverse Opinion

In my opinion, because of the significance of the matters discussed in the Basis for Adverse Opinion paragraph, the financial statements do not present fairly, the financial position of National Gender and Equality Commission as at 30 June 2015, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with Public Finance Management Act, 2012 and National Gender and Equality Commission Act, 2011.



FCPA Edward R. O. Ouko, CBS
AUDITOR-GENERAL

Nairobi

28 April 2016

NATIONAL GENDER AND EQUALITY COMMISSION
STATEMENT OF RECEIPTS AND PAYMENTS

	Note	2014-2015 Kshs	2013-2014 Kshs
RECEIPTS			
Tax Revenues	1	-	-
Social Security Contributions	2	-	-
Proceeds from Domestic and Foreign Grants	3	-	-
Transfers from National Treasury	4	289,500,000.00	224,000,000.00
Transfers from Other Government Entities	5	-	-
Proceeds from Domestic Borrowings	6	-	-
Proceeds from Foreign Borrowings	7	-	-
Proceeds from Sale of Assets	8	-	-
Reimbursements and Refunds	9	-	-
Returns of Equity Holdings	10	-	-
Other Revenues	11	-	39,000.00
TOTAL REVENUES		289,500,000.00	224,039,000.00
PAYMENTS			
Compensation of Employees	12	107,101,539.30	100,602,000.00
Use of goods and services	13	159,818,021.25	82,926,000.00
Subsidies	14	-	-
Transfers to Other Government Units	15	-	-
Other grants and transfers	16	-	-
Social Security Benefits	17	-	-
Acquisition of Assets	18	22,499,995.90	50,428,000.00
Finance Costs, including Loan Interest	19	-	-
Repayment of principal on Domestic and Foreign borrowing	20	-	-
Other Expenses	21	-	-
TOTAL PAYMENTS		289,419,556.45	233,956,000.00
SURPLUS/DEFICIT		80,443.55 -	9,917,000.00

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 29/9/2015 and signed by:

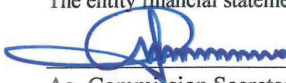

 Ag. Commission Secretary


 Senior Assistant Account General

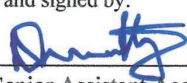
NATIONAL GENDER AND EQUALITY COMMISSION
STATEMENT OF FINANCIAL POSITION

	Note	2014-2015 Kshs	2013-2014 Kshs
FINANCIAL ASSETS			
Cash and Cash Equivalents			
Bank Balances	22A	19,819,755	18,235,418
Cash Balances	22B	-	-
Total Cash And Cash Equivalents		19,819,755	18,235,418
Accounts Receivables - Outstanding Imprest and Clearance Accounts	23	-	-
TOTAL FINANCIAL ASSETS		19,819,755	18,235,418
LESS: FINANCIAL LIABILITIES			
Accounts Payables - Deposits	24	4,049,934	2,546,040
NET FINANCIAL ASSETS		15,769,821	15,689,378
REPRESENTED BY			
Fund balance b/fwd	25	15,689,377	25,606,378
Surplus/Deficit for the year		80,444 -	9,917,000
Prior year adjustments		-	-
NET FINANCIAL POSSITION		15,769,821	15,689,378

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 29/9/ 2015 and signed by:



Ag. Commission Secretary




Senior Assistant Account General

NATIONAL GENDER AND EQUALITY COMMISSION
STATEMENT OF CASH FLOW

	Note	2014-2015 Kshs	2013-2014 Kshs
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts for operating income			
Tax Revenues	1	-	-
Social Security Contributions	2	-	-
Proceeds from Domestic and Foreign Grants	3	-	-
Transfers from National Treasury	4	289,500,000	224,000,000
Transfers from Other Government Entities	5	-	-
Reimbursements and Refunds	9	-	-
Returns of Equity Holdings	10	-	-
Other Revenues	11	-	39,000
		289,500,000	224,039,000
Payments for operating expenses			
Compensation of Employees	12	107,101,539	100,602,000
Use of goods and services	13	159,818,021	82,926,000
Subsidies	14	-	-
Transfers to Other Government Units	15	-	-
Other grants and transfers	16	-	-
Social Security Benefits	17	-	-
Finance Costs, including Loan Interest	19	-	-
Other Expenses	21	-	-
		266,919,561	183,528,000
Adjusted for:			
Changes in receivables		-	-
Changes in payables		1,503,894	2,546,040
Adjustments during the year		-	-
Net cashflow from operating activities		265,415,667	180,981,960
CASHFLOW FROM INVESTING ACTIVITIES			
Proceeds from Sale of Assets	8	-	-
Acquisition of Assets	18	(22,499,996)	(50,428,000)
Net cash flows from Investing Activities		(22,499,996)	(50,428,000)
CASHFLOW FROM BORROWING ACTIVITIES			
Proceeds from Domestic Borrowings	6	-	-
Proceeds from Foreign Borrowings	7	-	-
Repayment of principal on Domestic and Foreign borrowing	20	-	-
Net cash flow from financing activities		-	-
NET INCREASE IN CASH AND CASH EQUIVALENT		1,584,338	7,370,960
Cash and cash equivalent at BEGINNING of the year		18,235,418	25,606,378
Cash and cash equivalent at END of the year		19,819,755	18,235,418

Control

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 29/9/2015 and signed by:


 Ag. Commission Secretary


 Senior Assistant Account General

NATIONAL GENDER AND EQUALITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS

1 TAX REVENUES

Taxes on Income, Profits and Capital Gains
 Taxes on Property
 Taxes on Goods and Services
 Taxes on International Trade and Transactions
 Other Taxes (not elsewhere classified)

Total

2014 - 2015
Kshs

-
-
-
-
-

-

2013 - 2014
Kshs

-
-
-
-
-

-

2 SOCIAL SECURITY CONTRIBUTIONS

Receipts for Health Insurance Contribution
 Receipts to NHIF for Health Insurance Contributions
 Receipts from Govt Employees to Social & Welfare Schemes in Govt

Total

2014 - 2015
Kshs

-
-
-

-

2013 - 2014
Kshs

-
-
-

-

PROCEEDS FROM DOMESTIC AND FOREIGN GRANTS

3

Name of Donor	Date received	Amount in foreign currency	2014 - 2015 Kshs	2013 - 2014 Kshs
Grants Received from Bilateral Donors (Foreign Governments)				
(Insert name of donor)				
(Insert name of donor)				
Grants Received from Multilateral Donors (International Organisations)				
(Insert name of donor)				
(Insert name of donor)				
Grants Received from other levels of government				
(Insert name of donor)			-	-
(Insert name of donor)			-	-
Total			-	-

[Provide short appropriate explanations as necessary]

4 EXCHEQUER RELEASES

Description and reference of the transfer	Date of transfer	2013 - 2014	
		Kshs	
1st quarter transfer		10,000,000.00	50,000,000.00
2nd quarter transfer		100,000,000.00	56,000,000.00
3rd quarter transfer		60,000,000.00	50,000,000.00
4th quarter transfer		119,500,000.00	68,000,000.00
Total		289,500,000.00	224,000,000.00

5 TRANSFERS FROM OTHER GOVERNMENT ENTITIES

Description	2014 - 2015		2013 - 2014	
	Kshs		Kshs	
Transfers from Central government entities				
Transfers from Counties (insert name of budget agency)				
(insert name of budget agency)				
TOTAL				

The amounts above have been reconciled with the sending Government entity.

6 **PROCEEDS FROM DOMESTIC BORROWINGS**

	2014 - 2015 Kshs	2013 - 2014 Kshs
Borrowing within General Government	-	-
Borrowing from Monetary Authorities (Central Bank)	-	-
Other Domestic Depository Corporations (Commercial Banks)	-	-
Borrowing from Other Domestic Financial Institutions	-	-
Borrowing from Other Domestic Creditors	-	-
Domestic Currency and Domestic Deposits	-	-
Domestic Accounts Payable	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

7 **PROCEEDS FROM FOREIGN BORROWINGS**

	2014 - 2015 Kshs	2013 - 2014 Kshs
Foreign Borrowing – Draw-downs Through Exchequer	-	-
Foreign Borrowing - Direct Payments	-	-
Foreign Currency and Foreign Deposits	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

8 **PROCEEDS FROM SALE OF NON-FINANCIAL ASSETS**

	2014 - 2015 Kshs	2013 - 2014 Kshs
Receipts from the Sale of Buildings	-	-
Receipts from the Sale of Vehicles and Transport Equipment	-	-
Receipts from the Sale Plant Machinery and Equipment	-	-
Receipts from Sale of Certified Seeds and Breeding Stock	-	-
Receipts from the Sale of Strategic Reserves Stocks	-	-
Receipts from the Sale of Inventories, Stocks and Commodities	-	-
Disposal and Sales of Non-Produced Assets	-	-
Receipts from the Sale of Strategic Reserves Stocks	-	-
Total	-	-

9 REIMBURSEMENTS AND REFUNDS

	2014 - 2015 Kshs	2013 - 2014 Kshs
Refund from World Food Programme (WFP)	-	-
Reimbursement of Audit Fees	-	-
Reimbursement on Messing Charges (UNICEF)	-	-
Reimbursement from World Bank – ECD	-	-
Reimbursement from Individuals and Private Organisations	-	-
Reimbursement from Local Government Authorities	-	-
Reimbursement from Statutory Organisations	-	-
Reimbursement within Central Government	-	-
Reimbursement Using Bonds	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

10 RETURNS OF EQUITY HOLDINGS

	2014 - 2015 Kshs	2013 - 2014 Kshs
Returns of Equity Holdings in Domestic Organisations	-	-
Returns of Equity Holdings in International Organisations	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

11 OTHER REVENUES

	2014 - 2015 Kshs	2013 - 2014 Kshs
Interest Received	-	-
Profits and Dividends	-	-
Rents	-	-
Other Property Income	-	-
Sales of Market Establishments	-	-
Receipts from Administrative Fees and Charges	-	-
Receipts from Administrative Fees and Charges - Collected as AIA	-	-
Receipts from Incidental Sales by Non-Market Establishments	-	-
Receipts from Sales by Non-Market Establishments	-	-
Receipts from Sale of Incidental Goods	-	-
Fines Penalties and Forfeitures	-	-
Receipts from Voluntary transfers other than grants	-	-
Other Receipts Not Classified Elsewhere	-	39,000.00
Business Permits	-	-
Cesses	-	-
Poll Rates	-	-
Plot Rents	-	-
Other Local Levies	-	-
Administrative Services Fees	-	-
Various Fees	-	-
Council'S Natural Resources Exploitation	-	-
Sales Of Council Assets	-	-
Lease / Rental Of Council'S Infrastructure Assets	-	-

Other Miscellaneous Revenues	-
Other Miscellaneous Revenues	-
Insurance Claims Recovery	-
Medium Term Loans (1-3 Yr Repayment)	-
Long Term Loans (Over 3 Yr Rpayment)	-
Transfers From Reserve Funds	-
Donations	-
Fund Raising Events	-
Other Revenues From Financial Assets Loan	-
Market/Trade Centre Fee	-
Vehicle Parking Fees	-
Housing	-
Social Premises Use Charges	-
School Fees	-
Other Education-Related Fees	-
Other Education Revenues	-
Public Health Services	-
Public Health Facilities Operations	-
Environment & Conservancy Administration	-
Slaughter Houses Administration	-
Water Supply Administration	-
Sewerage Administration	-
Other Health & Sanitation Revenues	-
Technical Services Fees	-
External Services Fees	-
System Required Revenue A/cs	-
Total	39,000.00

12 COMPENSATION OF EMPLOYEES

	2014 - 2015	2013 - 2014
	Kshs	Kshs
Basic salaries of permanent employees	62,097,491.90	54,764,000.00
Basic wages of temporary employees	-	385,000.00
Personal allowances paid as part of salary	43,682,127.40	44,810,000.00
Personal allowances paid as reimbursements	-	-
Personal allowances provided in kind	-	-
Pension and other social security contributions	1,321,920.00	509,000.00
Compulsory national social security schemes	-	134,000.00
Compulsory national health insurance schemes	-	-
Social benefit schemes outside government	-	-
Other personnel payments	-	-
Total	107,101,539.30	100,602,000.00

[Provide short appropriate explanations as necessary]

13 USE OF GOODS AND SERVICES

	2014 - 2015	2013 - 2014
	Kshs	Kshs
Utilities, supplies and services	2,400,000.00	713,000.00
Communication, supplies and services	6,088,655.90	4,099,000.00
Domestic travel and subsistence	12,739,992.60	6,930,000.00
Foreign travel and subsistence	6,766,123.50	6,305,000.00
Printing, advertising and information supplies & services	4,405,339.45	2,992,000.00
Rentals of produced assets	42,355,093.80	32,370,000.00
Training expenses	36,677,127.30	4,593,000.00
Hospitality supplies and services	4,089,976.40	3,179,000.00
Insurance costs	16,962,181.00	7,660,000.00
Specialised materials and services	10,100,000.05	1,258,000.00
Office and general supplies and services	2,699,999.70	3,317,000.00
Other operating expenses	3,640,000.00	3,588,000.00
Routine maintenance— vehicles and other transport equipment	7,499,997.00	2,520,000.00
Fuel Oil and Lubricants	2,779,998.80	462,000.00
Routine maintenance – other assets	613,535.75	2,940,000.00
Total	159,818,021.25	82,926,000.00

14 SUBSIDIES

Description	2014 - 2015 Kshs	2013 - 2014 Kshs
Subsidies to Public Corporations <i>See list attached</i>	-	-
(insert name)	-	-
Subsidies to Private Enterprises <i>See list attached</i>	-	-
(insert name)	-	-
TOTAL	-	-

[Provide short appropriate explanations as necessary]

15 TRANSFER TO OTHER GOVERNMENT ENTITIES

Description	2014 - 2015 Kshs	2013 - 2014 Kshs
Transfers to Central government entities <i>See attached list</i>	-	-
Transfers to Counties <i>(insert name of budget agency)</i>	-	-
<i>(insert name of budget agency)</i>	-	-
TOTAL	-	-

16 OTHER GRANTS AND OTHER PAYMENTS

Scholarships and other educational benefits
Emergency relief and refugee assistance
Subsidies to small businesses, cooperatives, and self employed

	2014 - 2015 Kshs	2013 - 2014 Kshs
	-	-
	-	-
	-	-
Total	-	-

17 SOCIAL SECURITY BENEFITS

	2014 - 2015 Kshs	2013 - 2014 Kshs
Government pension and retirement benefits	-	-
Social security benefits in cash and in kind	-	-
Employer Social Benefits in cash and in kind	-	-
Total	-	-

18 ACQUISITION OF ASSETS

	2014 - 2015 Kshs	2013 - 2014 Kshs
Non-Financial Assets		
Purchase of Buildings	-	-
Construction of Buildings	-	-
Refurbishment of Buildings	-	-
Construction of Roads	16,559,997.90	43,112,000.00
Construction and Civil Works	-	-
Overhaul and Refurbishment of Construction and Civil Works	-	-
Purchase of Vehicles and Other Transport Equipment	-	-
Overhaul of Vehicles and Other Transport Equipment	-	-
Purchase of Household Furniture and Institutional Equipment	-	-
Purchase of Office Furniture and General Equipment	-	-
Purchase of Specialised Plant, Equipment and Machinery	5,939,998.00	7,316,000.00
Rehabilitation and Renovation of Plant, Machinery and Equip.	-	-
Purchase of Certified Seeds, Breeding Stock and Live Animals	-	-
Research, Studies, Project Preparation, Design & Supervision	-	-
Rehabilitation of Civil Works	-	-
Acquisition of Strategic Stocks and commodities	-	-
Acquisition of Land	-	-
Acquisition of Intangible Assets	-	-
Purchase of ICT Equipment	-	-
Financial Assets		
Domestic Public Non-Financial Enterprises	-	-
Domestic Public Financial Institutions	-	-
Foreign financial Institutions operating Abroad	-	-
Other Foreign Enterprises	-	-
Foreign Payables - From Previous Years	-	-
Total	22,499,995.90	50,428,000.00

19 FINANCE COSTS, INCLUDING LOAN INTEREST

	2014 - 2015 Kshs	2013 - 2014 Kshs
Interest Payments on Foreign Borrowings	-	-
Interest Payments on Guaranteed Debt Taken over by Govt	-	-
Interest on Domestic Borrowings (Non-Govt)	-	-
Interest on Borrowings from Other Government Units	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

20 REPAYMENT OF PRINCIPAL ON DOMESTIC LENDING AND ON-LENDING

	2014 - 2015 Kshs	2013 - 2014 Kshs
Repayments on Borrowings from Domestic	-	-
Principal Repayments on Guaranteed Debt Taken over by Government	-	-
Repayments on Borrowings from Other Domestic Creditors	-	-
Repayment of Principal from Foreign Lending & On - Lending	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

21 OTHER EXPENSES

	2014 - 2015 Kshs	2013 - 2014 Kshs
Budget Reserves	-	-
Civil Contingency Reserves	-	-
Other expenses	-	-
Domestic Accounts	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

22A Bank Accounts

Name of Bank, Account No. & currency	Indicate whether recurrent, Development, deposit, revenue, CRF e.t.c	2014 - 2015 Kshs	2013 - 2014 Kshs
K.C.B. - 1103269267			18,235,417.51
Central Bank of Kenya 1000181532	Recurrent	80,443.55	-
Central Bank of Kenya 1000182385	Deposit	19,739,311.45	-
Total		19,819,755.00	18,235,417.51

[List all bank account held by the entity]

22B Cash in hand

Cash in Hand – Held in domestic currency
 Cash in Hand – Held in foreign currency

	2014 - 2015 Kshs	2013 - 2014 Kshs
Total	-	-

Cash in hand should also be analysed as follows:

	2014 - 2015 Kshs	2013 - 2014 Kshs
Location 1		
Location 1		
Total	-	-

[Provide cash count certificates for each]

23 Outstanding Imprests

Description	2014 - 2015	2013 - 2014
	Kshs	Kshs
Government Imprests	-	-
Clearance accounts	-	-
Total	-	-

[Provide short appropriate explanations as necessary]

24 Accounts Payables

Deposits	4,049,934.00	2,546,040.00
TOTAL	4,049,934.00	2,546,040.00

25 BALANCES BROUGHT FORWARD

Bank accounts		
Cash in hand	-	-
Receivables - Outstanding Imprests	-	240,000.00
Payables - Deposits	4,049,934.00	2,546,040.00
Total	15,689,377.45	25,606,378.00

6.0 CHALLENGES, RECOMMENDATIONS AND PRIORITY AREAS

6.1 Challenges:

- a) Lack of a legal framework to enforce equity and inclusion related constitutional provisions e.g. the not more than two thirds gender rule; five percent progressive recruitment and representations of PWDs.
- b) Inadequate number of commissioners as specified in the law to step up oversight function of the Commission
- c) Inadequate funding to deliver on the complex mandate particularly to facilitate operationalization of the devolution strategy of the Commission
- d) Amounts of effort required to translate affirmative actions into quality leadership are enormous and requires concerted efforts from all stakeholders
- e) Inadequate technical human resource. The Commission has not filled critical positions in management and technical level to steer its functions

6.2 Recommendations

- a) Enactment and review of necessary laws to enforce constitutional provisions on equity and inclusion e.g. the Constitution of Kenya (Amendment) (No. 4) Bill of 2015 among others
- b) The executive and parliament to appoint remaining Commissioner as per the constitution to increase the capacity of the Commission to manage the multi-dimensional mandate
- c) Increase funding from the exchequer to fully operationalize the devolution strategy and recruitment of management technical and professional staff.

6.3 Priorities:

The Commission plans to undertake major interventions alongside thematic issues provided in the mandate as follows:-

Legal compliance and redress (on laws related to equality and freedom from discrimination)

- a) Lobbying and advocacy towards realization of the not more than two-thirds gender principle
- b) Litigation on matters of public interest or on motion of the Commission

- c) Complete development of NGEC rules and regulations through stakeholders' contributions and submission to Parliament
- d) Complete review of PWD Act
- e) Complete the review and validation of the Learners with Disabilities bill
- f) Complete report of the Free Maternity Audit

Monitoring

- a) Monitor county government progress in early child education and development
- b) Monitor the accessibility of public buildings for PWDs & Elderly Persons
- c) Monitor implementation of recommendations on land use and natural resource management
- d) Establish additional modules to the database on equality and inclusion
- e) Monitor compliance of Kenya with at least four international treaties and conventions
- f) Facilitate development of a framework towards realization of the two-thirds gender principle
- g) Scale up alternative dispute resolution mechanisms to issues of equality and inclusion.
- h) 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.
- i) Installation and roll-out of information management system on equality and inclusion at national and county levels
- j) Participation in regional/international reporting mechanisms

Audits

- a) Advisory to county and national government on affirmative action for SIGs
- b) Audit the street children fund in 7 major counties
- c) Audit of equality and inclusion of the free primary education
- d) Audit applications of affirmative actions on SIGs development fund: YEDF and UWEZO, equalization fund
- e) Audit equity issues among children in borstal Homes (children in conflict with Law)
- f) Undertake public inquiries and evoke quasi-judicial powers in matters of public interest

Public education and advocacy

- a) Advise on public education programmes for SIGs at National, County and Private sector levels
- b) Scale up dissemination of the Tubadili, Tusitawi multimedia campaign
- c) Sensitization of private Sector on the rights of elderly & PWDs
- d) Sensitization of county governments on the rights of elderly & PWDs
- e) Sensitization and public awareness on SGBV
- f) 4th Annual congress for Commissions and Independent offices
- g) Stakeholders' engagement, data collection and validation meetings of the NGECE strategic plan
- h) Participation in the County level data collection and dissemination of the first status report on equality and inclusion.
- i) Coordinate target technical working groups at national and county levels

Institutional Capacity Strengthening

- a) Development of capacity building manuals for the commission (on human rights, equity, and mainstreaming issues of SIGs,)
- b) Recruitment of more staff
- c) Resource mobilization

APPENDIX

Profile of Commissioners and Chief Executive Officer

COMMISSIONER WINFRED O. LICHUMA, E.B.S



Winfred Lichuma, (EBS) is the current Chairperson of the National Gender and Equality Commission (NGEC). Winfred is a Lawyer of over 20 years standing. She holds an LLB from the University of Nairobi, an LLM from the University of Essex in United Kingdom and an M.A in Gender and Development from the University of Nairobi.

She has served as a Commissioner at the Kenya National Commission on Human Rights and has been a legal adviser to the National Aids Control Council. She has also worked as a practicing Advocate of the High Court of Kenya and served as a part time lecturer at the University of Nairobi in the department of Gender Studies. She began her career as a Magistrate of the High Court of Kenya, a position she held for ten years and served around the country, growing up the

ranks to Senior Resident Magistrate.

Winfred has extensive experience in gender, equality and inclusion and generally a lot of passion in the human rights field with a bias to sexual and reproductive health rights and women's rights. Recently she has been nominated to serve as the secretary to the African Working Group on Gender and climate change.

COMMISSIONER SIMON J. NDUBAI



Commissioner Simon J. Ndubai is the Vice Chairperson of the Commission and holds a Bachelor of Commerce Degree from Poona University. Mr. Ndubai has served as an Internal Auditor in both the Government and parastatals for a period of over 20 years in various capacities.

Outside his professional duties, he has served as the Treasurer of Elimu Co-operative Society, Chairman of Nairobi Branch of the Association for the Physically Disabled of Kenya, Assistant National Treasurer of the Association for the Physically Disabled of Kenya, Director of the National Council for Persons with Disabilities, Chairman of the Audit Committee of the National Council for Persons with Disabilities, member of the Trustees of Kenyatta National Hospital

Superannuation Scheme and Chairman of the Trustees Welfare Committee of Kenyatta National Hospital Superannuation fund. Mr. Ndubai is an expert on disability. He has been involved in the formulation of Persons with Disabilities Act 2003, Special Education Policy, Disability Policy, and implementation of African Decade for Persons with Disabilities, Constitution making process, formulation of the Convention on the Rights of Persons with Disabilities, and a member of the Mainstreaming Committee on issues of Persons with Disabilities at Kenyatta National Hospital. He is a member of the Victims Protection Board, upon nomination in February 2015. He is the convener for the Disability and Elderly & Research, Monitoring, Evaluation and Documentation in the commission.

COMMISSIONER GUMATO UKUR YATANI



Commissioner Gumato Ukur Yatani holds an MBA in Human Resource Management from the University of Nairobi. She also holds a Bachelor of Education degree from Moi University. She is currently pursuing her Doctoral studies on Gender and Diversity Management at the Vienna University of Economics and business. Commissioner Gumato formerly worked as an undersecretary in the Office of the President up to 2011.

Between 2005 and 2008 Mrs. Yatani worked as the head of organization development and human resource manager with Kenya Red Cross Society respectively. She also worked with the Kenya Post office savings bank as a senior field service training coordinator for Western Union Money transfers. Mrs. Yatani has served in various organizations including being the vice chair of Ewaso Ngiro North Development Authority and Board membership of several local NGO's. She is the convener of the Minorities and Marginalized department and the Chairperson of the Programs Coordination Committee at the Commission.

COMMISSIONER DR. FLORENCE NYOKABI WACHIRA, M.B.S



Commissioner Dr. Florence Nyokabi Wachira, M.B.S holds a Doctorate degree in Human Resource Management from the Jomo Kenyatta University of Agriculture and Technology, a Master's degree in Gender and Development Studies from the University of Nairobi and a Master's degree in Human Resource Development from Middlesex University Business School in the UK. Commissioner Nyokabi is a career public servant and her last appointment was as Director of Recruitment and Selection in the Public Service Commission. She has vast knowledge and practical experience in Public Administration and Human

Resource Management and Development especially the management of diversity.

She was recognized for her distinguished service in the Public Sector and awarded a National award: the Moran of the 3rd Order of the Burning Spear (M.B.S) by His Excellency, the President on December 11, 2012. She is currently the convener for the youth and children programme in the commission. With her rich background in Gender issues and Human Resource Management, the managing and implementation of policies in regards to the programme is assured.

MR. PAUL KIHUGU KURIA - ACTING COMMISSION SECRETARY/CEO



Mr. Kuria has a background in research and metrics, social and behavioural programming and communications. He joined the Commission in February 2013 after serving as the country manager for the Measurement, Learning and Evaluation programme of the University of North Carolina, Chapel Hill between 2010 and 2012.

Mr. Kuria was the former lead coordinator of a Reproductive Health (RH) programme of APHRC funded by David and Lucile Packard Foundation in Kenya. Between 2002 and 2008, he served as a Research Officer in Population

Services International, Kenya before rising to the position of Deputy Director Research and Metrics in 2009.

Before his appointment as the Acting Chief Executive Officer, Mr. Kuria was the Deputy Director for Research and Programme at NGEC. He was responsible for establishment of a functional Research and Programmes Directorate of the Commission.



NGEC

National Gender and
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