



# **Annual Report**

## **2021-2022**



# Annual Report 2021-2022



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## List of Acronyms

ACWRC	- African Charter on the Welfare and Rights of the Child
APHRC	- African Population and Health Research Center
APRM	- Africa Peer Review Mechanism
CS	- Cabinet Secretary
CSOs	- Civil Society Organizations
CSW	- Commission on the Status of Women
CMD-K	- Centre for Multiparty Democracy –Kenya
CRC	- Convention on the Rights of the Child
CREAW	-Centre for Rights Education and Awareness
CTL	- Centre for Transformational Leadership
CEDAW	- Convention on the Elimination of all forms of Discrimination against Women
CRPWD	- Convention on the Rights of Persons with Disabilities
DSD	- Directorate for Social Development
EACC	- Ethics and Anti-Corruption Commission
ECVR	- Enhanced Continuous Voter Registration
EWITWG	- Equality and Inclusion Technical Working Group
FGM	-Female Genital Mutilation
GBV	-Gender-Based Violence
GEWE	-Gender Equality and Women Empowerment
HIV	- Human Immunodeficiency Virus
HI	- Humanity and Inclusion
IRI	-International Republican Institute
ICPD	- International Conference on Population and Development
IACC	- Inter-agency Coordination Committee
ILO	- International Labour Laws
IPA	- Innovations of Poverty Action
IGAD	- Intergovernmental Authority on Development
IEBC	- Independent Electoral and Boundaries Commission
IWD	- International Women’s Day
KIPP	- Kenya inclusive Political Parties Programme

- KIPPRA –Kenya Institute of Public Policy Research and Analysis
- KLEIN - Kenya Legal Ethical issues Network
- KNBS - Kenya National Bureau of Statistics
- KSG - Kenya Institute of Government
- MDAs -Ministers Agencies and Departments
- MIPAA – Madrid International Plan of Action on Aging
- MOH - Ministry of Health
- NGE - National Gender and Equality Commission
- NCCS - National Council for Children Services
- NIMES - National Integrated Monitoring and Evaluation System
- NPA – National Plan of Action
- NPS – National Police Service
- OCSEA - Online Child Sexual Exploitation and Abuse
- ODPs - Organization of Disabled Persons
- PWDs- Person with Disabilities
- SDGs -Sustainable Development Goals
- SIGs - Special Interest Groups
- SDfG - State Department for Gender
- SNA - System of National Accounts
- SOPs - Standard Operating Systems
- TVET - Technical Vocational Education and Training
- UNFCCC - United Nations Framework Convention on Climate Change
- UNSDCF - United Nations Sustainable Development Co-operation Frame work
- UNODC - United National Office for Drugs and Crimes
- VAWG -Violence against Women and Girls
- WEE - Women Economic Empowerment
- WPA –Witness Protection Agency

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### Foreword from the Chairperson

It is with great pride that I present to you the performance report of the National Gender and Equality Commission for the Financial Year 2021-2022. During this period, the Commission has made significant strides in advancing gender equality and SIG's rights through policy interventions and advisories to national and county governments. Our efforts in receiving and processing complaints on discrimination, and reviewing national and county laws, policies and administrative guidelines have not gone unnoticed.

However, we must acknowledge the challenges that we have faced in ensuring full compliance with certain requirements such as the implementation of the not more than two-thirds gender principle. Inadequate funding has hampered the Commission, which has undermined our ability to deliver critical services to special interest groups.

I urge the Government and Parliament to consider passing the law on two-thirds and allocating adequate funding to the Commission so that we can better serve the Kenyan people. I also call on Kenyans to exercise their right to vote during the August 2022 General Elections and to support special interest groups (SIGs) candidates who are running for elective leadership. This will be a critical step in achieving substantive equality for all.

Looking ahead, we are committed to continuing this work by intensifying engagement with both State and non-State actors around key policy issues related to gender equality. We will also continue our support for grassroots movements working towards advancing SIGs rights and other emerging issues on equality and inclusion.

I wish to thank and appreciate the support of the Government of Kenya and the Commission's Development Partners for the financial and material support during the financial year under review. I also wish to sincerely thank the Commissioners and staff for their contribution and urge them to continue their efforts in the forthcoming year. I am confident that with your support, we will continue to make significant progress in advancing gender equality and SIG's rights in Kenya



**DR. JOYCE B.M. MUTINDA, PhD, EBS**  
**CHAIRPERSON**

### Statement from the Commission Secretary/Chief Executive Officer

The Financial Year 2021-2022 marked the middle of the implementation of the Commission's 2019-2024 Strategic Plan whose projected budget for the 5 years is approximately Ksh. 4 billion, translating to a projected annual expenditure of Ksh. 800 million. In the 2021/22 Financial Year, the Commission's recurrent vote printed estimates was Kshs.449.8 million. The actual expenditure was Kshs.432.3 million translating to 96% budget absorption. It should be noted that 38.7% of the budget allocation for the Commission was used for the procurement of goods/services and operations, 54.8% for personnel emoluments, 1.7% for gratuity and 4.6% for the acquisition of assets. Comparing the current financial year to FY 2020/21, the absorption level increased from 94% to 96% in Financial Year 2021-2022.

The Commission receipts mainly comprise exchequer releases from the National Treasury. During the Financial Year 2021-2022, the Commission received a total of Kshs. 432,378,070 relating to exchequer releases from the National Treasury. This is an increase of 22% in total receipts compared to Kshs. 353,439,700 received in Financial Year 2020-2021. There were no receipts from development partners. However, the annual exchequer allocation was short of the projected annual budget of Ksh. 800 million to implement the Strategic Plan 2019-2024.

This deficit has proved challenging for the Commission in executing its mandate. Inadequate funding reduces the Commission's visibility, and reach to the most vulnerable populations and affects frequencies in the national reporting of conventions and treaties relating to SIGs. Further, due to inadequate financial resources, the Commission has limited regional coverage of the issues affecting special interest groups. The Commission has six regional offices spread across the country and inadequate technical staff in those offices to handle high cases and issues of discrimination and inequalities. In programs, the Commission has a deficit of more than 70 staff.

Despite financial challenges, the Commission has leveraged development partners' support to execute strategic interventions for the Special Interest Groups. To this end, I wish to sincerely thank all our development partners for walking with us as we implement our mandate.

We look forward to building on the progress made this past year, as well as continuing our commitment to promoting gender equality and freedom from discrimination of all persons in Kenya.



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

### Executive Summary

In fulfilment of its mandate during the reporting period, the Commission reviewed 352 annual reports from government ministries, departments, and organizations about the advancement of the ideas of equality and non-discrimination. The Commission also provided 400 gender focal points in several Ministries with the training necessary to use the Gender Mainstreaming tools and related papers. The training's goal is to give up-to-date, accurate information on how Ministries, Departments, and Agencies (MDAs) are doing with gender mainstreaming. Further, the Commission assisted 69 government Ministries, Departments, and Agencies (MDAs) in aligning their workplace policies, action plans, and initiatives with the fundamental principles of gender mainstreaming.

The Commission, in partnership with the REINVENT Program, held a high-level consultative meeting with representatives of registered political parties to secure their commitments to promoting SIG participation in various political party actions, activities, and processes to promote the inclusion and participation of SIGS in the 2022 General Election. To assess the state of readiness for SIGs' participation and inclusion in the 2022 General Elections, the Commission organized five (5) consultation meetings with various stakeholder organizations dealing with SIG-related issues. Through these meetings, the stakeholders were assisted in mapping the various interventions necessary to advance and defend the SIGs' rights before, during, and after the 2022 General Elections.

During the reporting period, the Commission made contributions to the creation of monitoring tools for the costed Kenya National Plan of Action (NPA) 2022-2026 for Online Child Sexual Exploitation and Abuse during the period under review (OCSEA). Additionally, the Commission took part in and contributed to a discussion on policy discourse about increasing possibilities for gender equality and including children with special needs in the agenda for social development. The Commission assisted the Directorate for Social Development (DSD) in creating the draft National Parenting Manual as a member of the national technical working group. The manual aims to improve and build effective parenting techniques within the context of the family.

The Commission contributed to the development of the Kenya Country Position Paper for the Sixty-Sixth Session of the Commission on the Status of Women CSW 66) as a member of the technical committee. Additionally, the Commission took part in and oversaw the 66th CSW planning sessions. The Commission helped disseminate the 66th session of CSW's concluding observations in collaboration with the State Department for Gender and other stakeholders.

The Commission worked with the Department of Social Protection and other interested parties to prepare the country position paper for the Open-Ended Working Group on Ageing's 12th session. The Technical Working Group took into account the current international framework for older people's human rights and identified any potential gaps and the best ways to close them, including, where necessary, taking the viability of additional instruments and measures into consideration. The Commission made sure that the Country Position Paper was completed and submitted on time.

During the reporting period, the Commission helped with the production of the Country Report on the Status of Implementation of the Convention on the Rights of Persons with Disabilities for the Conference of State Parties (CRPD). The Commission ensured that the County report was completed and submitted on time and promoted discussion on Kenya's implementation of the CRPD.

The Commission facilitated the National Council for Children Services (NCCS) to produce the sixth and seventh state reports on the Convention on the Rights of the Child during the review period (UNCRC). Further, the Commission participated in consultative meetings on the inclusive Data Charter, a unique multi-stakeholder initiative working to advance inclusive data for Persons with Disabilities (PWDs) in Kenya. The Commission is a technical member of the Inter-Agency Coordination Committee (IACC), which is tasked with ensuring State and non-State actors monitor the implementation of commitments for the Global Disability Summit (GDS).

During the reporting period, the Commission took part in the preparation and execution of the 56<sup>th</sup> session of the Subsidiary Body for Implementation (SBI) and Subsidiary Body for Scientific and Technological Advice of the United Nations Framework Convention on Climate Change (UNFCCC) (SBSTA). The conferences took place in Bonn, Germany.

The National REDD+ Strategy and County Approach to Safeguards, which will serve as a framework for directing the REDD+ process across the nation, were launched with participation from the Commission. Together with UNDP, the Ministry of Environment and Forestry convened the forum. This hybrid summit took place in conjunction with the UNEP @50 celebrations. The plan gives the Commission a starting point to track how Minority and Marginalized populations are involved in and included in the implementation of REDD+ plans in Kenya. The approach also places the Commission in a position to monitor gender in all important REDD+ components in Kenya.

The Commission facilitated Kenya's ratification of the African Charter on Human and Peoples' Rights protocol on the rights of older people and persons with disabilities in Africa during the time under review. The protocols aim to ensure that older people and individuals with disabilities can fully and equally enjoy all human and people's rights.

During the reporting period, the Commission received and investigated 89 complaints about violations of the anti-discrimination and gender equality principles during the period under review. This indicates that the number of complaints received in the FY 2020–2022 increased by 33%. Further, the Commission during the year under review completed the National Gender and Equality Commission Complaints Handling and Procedure Regulations, 2022. On May 4, 2022, the National Assembly approved the regulations and they were published in the Gazette. The rules help the Commission carry out the instructions provided in Sections 8(f) and 28(1) of the NGEC Act 2011.

The Commission analyzed and issued memoranda on 55 legal, policy, and administrative instruments at the county and national levels during the time under review. The main goals of the contributions were to address issues of equality and inclusion and guarantee, protect, and advance the rights and freedoms of the most vulnerable population.

The Commission in ten (10) counties, including Samburu, West Pokot, Tharaka Nithi, Laikipia, Kilifi, Wajir, Nyandarua, Vihiga, Isiolo, and Turkana, distributed the County Model Policy and Model Legal Framework on Sexual Gender-Based Violence. The model policy and legislative frameworks will make it easier for the counties to create SGBV-related laws and policies that are specific to their nations.

The Commission organized 53 consultative meetings to bring stakeholders together to discuss issues affecting Special Interest Groups and develop strategies for overcoming challenges SIGs experience regarding equity and inclusion as part of its coordinating mandate on issues affecting SIGs. Further, the Commission assisted with the observance of

15 International and Regional Days throughout the reporting period. The Commission organized public education sessions and workshops in 16 Counties (Baringo, Elgeyo Marakwet, Narok, Tharaka Nithi, Kilifi, Samburu, West Pokot, Isiolo, Laikipia, Nyandarua, Vihiga, Wajir, Turkana, Nyeri, Garissa, Siaya, and Nakuru).

The POLICARE Technical Working Group, of which the Commission was a member, facilitated the development and introduction of the Nairobi Policare Pilot Model and the dissemination of the Policare Concept to more than 14 Counties, and the creation of important guiding documents like the Policare Policy, Standard Operating Procedures (SOPs), and the Policare Strategy.

During the reporting period, the Commission developed 10 different versions of informational, educational, and communicational materials for supporting peaceful, inclusive elections in Kenya during the review period. Pamphlets, fact sheets, T-shirts, caps, bags, reflector jackets, and shirts are just a few of the things.

The Commission completed the creation of the draft NGEK Research Policy and assisted the Kenya National Bureau of Statistics in developing data collection instruments, study procedures, and training materials on gender modules for the Kenya Demographic Health Surveys in 2022 as a member of the Gender Sector Statistic Committee. Additionally, the Commission facilitated the Kenya National Bureau of Statistics verify the gender statistics for the Economic Survey, 2022.

The Commission receipts mainly comprise exchequer releases from the National Treasury. During the financial year 2021/ 22, the Commission received a total of Kshs. 432,378,070 relating to exchequer releases from National Treasury. There were no receipts from development partners. This is an increase of 22% in total receipts compared to Kshs. 353,439,700 received in FY 2010/21. 38.7% of budget allocation for the Commission was used for procurement of goods/services and operations, 54.8% for personnel emoluments, 1.7% for gratuity and 4.6% for the acquisition of assets.

The Commission continued to face historical obstacles during the reporting period, including the failure of the public and private sectors to uphold the minimum standards for gender equality and inclusion, the lack of adequate funding, the regional underreporting of issues affecting special interest groups, the lack of adequate transportation, and the Commission's inability to reach the most underserved areas of Kenya.

The Commission makes several recommendations among them that the government considers an amendment to the Public Finance Management Act, of 2012 and attendant documents to include provisions that require Ministries, Departments and Agencies to obtain a gender and inclusion clearance from the National Gender and equality Commission that demonstrates that such agencies have planned for and budgeted for critical gender and inclusion interventions in their annual work plans.

Kenya to consider the ratification of the Convention concerning the elimination of violence and harassment in the world of work. The government to consider increased investments in all strategies identified for the elimination of GBV and harmful cultural practices. These include investment in POLICARE, an interoperable database on violence directed to women and girls, and in FGM programs involving men to reduce demand for female genital cutting

The Parliament to urgently consider and enact a law to give effect on Article 81b and Article 27 on not more than two-thirds gender rule, Article 100 on the greater representation of the

special interest groups in Parliament, and enabling legislation to give effect to affirmation actions and programs envisioned in Article 56 of the Constitution of Kenya 2010.

County Governments, National Governments and the private sector to comply with the fundamental requirement in Article 54 of the Constitution of Kenya that obligates the State to ensure the progressive implementation of the principle that at least five per cent of the members of the public in elective and appointive bodies are persons with disabilities, and the Government to consider increased financial support for the Commission directed at full operationalization of the five regional offices and opening at least two more offices per year among others.

The key priorities for the Commission in the next financial year include; facilitating the development of a framework for greater and meaningful involvement of PWDs and youth in anti-corruption programs, monitoring and auditing inclusion and participation on SIGs in the 2022 General Elections, facilitating the development of a model child pregnancy management and control strategy for consideration by national and county governments, completing the audit of the uptake and effect of green energy among special interest groups including uptake of solar lanterns, improved cooking Jikos among others. The Commission will also focus on the operationalization of the Commission rules and regulations to strengthen procedures for the conduct of investigations and management of complaints.

Further, the Commission will expand the scope of interventions on universal access to public infrastructure, build the capacity of Commissioners and management teams on corporate governance, knowledge management, and alternative dispute resolution mechanisms and continue to take stock of the effect of COVID-19, drought and economic recessions on SIGs and proposed strategies for reducing inequalities in the programs designed to caution SIGs and vulnerable groups from effects of such disasters and emergencies among other interventions.

This report is divided into five chapters. Chapter 1 describes the mandate, composition and structure of the Commission. Chapter 2 chronicles critical programmatic achievements in key strategic objectives while Chapter 3 details public education and advocacy interventions as well as the institutional growth achieved in the past year concerning personnel, information and technology, procurement and strengthening its risk management functions. The audited accounts of the Financial Year 2021/2022 are presented in Chapter 4 while Chapter 5 describes the key challenges, recommendations and priority areas of the Commission for the Financial Year 2022/2023.

## Introduction

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

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

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

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

This report is prepared according to Article 254 of the Constitution of Kenya 2010 and Section 53 of the National Gender and Equality Commission Act No. 15 of 2011. The report details key achievements made by the Commission in the Financial Year 2021-2022 in monitoring, auditing, facilitating and coordinating the integration of the principles of equality and inclusion at international, regional and national levels, and a summary of good practices and challenges encountered during implementation of its programmes.

## CHAPTER ONE

### 1.0 The Commission

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

The Commission headquarters is in Nairobi with six regional offices in Garissa, Kisumu, Nakuru, Kitui, Kilifi and Isiolo. As per the provisions of the National Gender and Equality Commission Act No. 15 of 2011, the Commission consists of a Chairperson and four other members appointed per its constitutive act. The Chairperson and members serve on a full-time basis for a non-renewable term of six years. By the end of the Financial Year under review, the leadership of the Commission comprised Dr. Joyce M. Mutinda PhD **EBS**, as Chairperson, and Dr. Chomba Munyi PhD **MBS** as the Vice-Chairperson. Commissioners Thomas Koyier and Caroline Naikena Lentupuru HSC joined the Commission in December 2021 while Commissioner Hon. Priscilla Nyokabi Kanyua **EBS** exited the Commission in February 2022. Betty Sungura **MBS** was the Commission Secretary/CEO.

### 1.1 Functions of the Commission

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

- a) promote gender equality and freedom from discrimination under Article 27 of the Constitution;
- b) monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;
- c) act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- d) co-ordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and advise the Government on all aspects thereof;
- e) monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;

- f) investigate on its own initiative or the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned;
- g) work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
- h) co-ordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
- i) conduct and coordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
- j) receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination;
- k) work with the Kenya National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaboration in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
- l) prepare and submit annual reports to Parliament on the status of implementation of its obligations under this Act;
- m) conduct audits on the status of special interest groups including minorities, marginalized groups, persons with disabilities, women, youth and children;
- n) establish, consistent with data protection legislation, databases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
- o) perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and
- p) perform such other functions as may be prescribed by the Constitution and any other written law.

## 1.2 Powers of the Commission

### General functions and powers.

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

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

## CHAPTER TWO

### 2.0 Programmatic Interventions

This chapter presents theme-based policy and programmatic achievements for the Financial Year 2021/2022.

#### 2.1 Compliance Monitoring and Reporting

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

Function 8 (j) of the National Gender and Equality Commission Act No. 15 of 2011 mandates the Commission to receive and evaluate annual reports on progress made by public institutions and other actors on compliance with constitutional and statutory requirements on implementation of the principles of equality and freedom from discrimination. In line with this function, the Commission received and evaluated 352 annual reports from government ministries, departments and agencies on the progress made in the implementation of principles of equality and freedom from discrimination. In 2020/2021, the Commission received 299 reports. This means the 2021/2022 return represents a 17.7 per cent increase. The evaluation showed increased compliance by MDAs on the different gender mainstreaming indicators which the majority of the institution having a score of more than 75%. During the period the Commission also noted improved consistency in the reporting by MDAs.

During the year under review, the Commission in collaboration with the State Department for Gender (SDfG) reviewed the Gender Mainstreaming reporting tool and Performance Measuring indicator tool in line with the 18<sup>th</sup> cycle of performance contracting. Further, the Commission facilitated 400 gender focal persons located in different Ministries with skills necessary to apply the Gender Mainstreaming tools and attendant documents. The objective of the training is to provide timely and reliable data on progress being made by Ministries, Departments and Agencies (MDAs) on gender mainstreaming. The focal persons were drawn from different agencies and signatories to performance contracting.

To ensure compliance with the principles of equality and inclusion in the workplace, the Commission facilitated Sixty- nine (69) Government Ministries, Departments, and Agencies (MDAs) to align their workplace policies, action plans, and activities to the basic requirements of gender mainstreaming (See Table 1 in the appendix 2). The MDAs were also trained/sensitized on gender equality and inclusion in the workplace. The training sessions are geared towards ensuring compliance with the constitutional and institutional requirements on gender equality and freedom from discrimination. During the training, the Ministries and Departments requested NGECE to support them establish functional

reporting and complaint-handling mechanisms for Gender Based Violence (GBV) cases. Based on the need and gap identified during the training, the Commission has embarked on a process of developing a model policy for gender mainstreaming targeting the Technical, Vocational Education and Training (TVET) sector. The model will be finalized in the financial year 2022/2023.

### **2.1.2 Equality and Inclusion of Special Interest Groups (SIGs) in Political Leadership and Governance**

The Constitution of Kenya, 2010 provides for the participation and inclusion of SIGs in political leadership and governance. To promote and ensure the inclusion of the SIGs in political processes, the Commission had put in place various interventions, thus:

#### **a) Participation in Political Parties**

To promote the inclusion and participation of SIGS in the 2022 general election, the Commission, in collaboration with REINVENT Programme held a high-level consultative meeting with representatives of registered political parties to secure their commitments in the promotion of participation of SIGs in various political party actions, activities and processes. These include; the development of the political party code of conduct, the development of the political party governance systems and structures, the nomination process, dispute management and resolution processes, political party-related campaigns, and the recruitment of members.

The high-level meeting also sought to commit political parties to the efforts of reducing Gender-Based Violence (GBV), especially directed at SIG political party members and candidates. The meeting was held at the Kenya School of Government (KSG) on 28th February 2022 and brought together representatives of 75 registered political parties. The political parties submitted to the Commission a declaration aimed at committing their leadership and resources towards ending GBV before, during and after the 2022 general elections.

In addition, the Commission in partnership with the Centre for Transformational Leadership (CTL) facilitated a meeting of selected representatives of SIGs drawn from various political parties in Nakuru country to discuss the participation and involvement of SIGs in the 2022 elections. The meeting was held on 3rd June 2022. The political parties deposited a commitment to a) ensure full representation, participation and involvement of Special Interest Groups in their political parties and by extension in the 2022 general election, and b) prevent and respond to Gender Based Violence targeted towards SIGs during the political party primaries and the 2022 general elections. Through this intervention, the Commission witnessed an increase in the number of SIGs cleared to vie for different positions in the 2022 general elections.



*NGEC and leaders of political parties meeting at KSG on February 28, 2022*

### **b) Diverse Stakeholders Consultations**

The Commission held five (5) consultative meetings with different groups of stakeholders dealing with issues of Special Interest Groups to take stock of the level of preparedness for the participation and inclusion of SIGs in the 2022 General Elections. Through these meetings the stakeholders were facilitated; to map the different interventions required to promote and protect the rights of the SIGs pre-election, during and post-election 2022 general elections; and to identify opportunities of working together to ensure more involvement and inclusion of the SIGs in the 2022 general election processes. The meetings brought together over 150 state and non-state actors. The coordination meetings were held in the month of May and June 2022.

- i. The Commission facilitated and participated in the National Women Agenda Setting Summit convened by the Centre for Multiparty Democracy, Kenya on 17th May 2022 at Safari Park Hotel. The summit deliberated on Gender Equality and Women Empowerment (GEWE) with a focus on increasing women's participation and representation in electoral processes. Some of the priority areas discussed included: the provision of security by duty bearers; funding women candidates during campaigns; training women candidates on overcoming potential threats and incidences of GBV; inclusivity of women with disabilities in political processes; strengthening women caucuses for mentorship of women and young girls into political leadership; and gender-sensitive reporting by media. The Commission highlighted the importance of supporting candidates, especially those representing Special Interest Groups.

7<sup>th</sup> and 8<sup>th</sup> of June 2022 and drew participants from Nakuru, Kisumu, Vihiga, Turkana, Kilifi, Wajir, Nyandarua, Laikipia, Samburu, West Pokot, and Isiolo counties. The activity was implemented in collaboration with Humanity and Inclusion (HI) under European Union (EU) funding. Out of the 55 candidates trained, two were elected members of the County Assembly. Further, through Nakuru Regional Office and in partnership with the Centre for Transformational Leadership, the Commission planned and facilitated a capacity-building workshop for SIGs political aspirants on 3rd June 2022 in Nakuru. The workshop brought together twenty (25) aspirants drawn from different political parties.

### **e) Monitoring Enhanced Continuous Voter Registration (ECVR)**

The Commission monitored the enhanced national voter registration exercise. Through this activity, NGECC sought to establish the extent of integration of principles of equality and inclusion in the 2021/2022 voter registration exercise. The Independent Electoral and Boundaries Commission (IEBC) commenced the enhanced continuous voter registration exercise on October 4 2021 and ended on November 5, 2021. NGECC invested in the monitoring of voter registration exercise and prepared a report detailing emerging issues, gaps, good practices, and recommendations on the inclusion of SIGs in future voter registration activities. The report was presented to the IEBC on July 1, 2022.



*The Chairperson of IEBC Wafula Chebukati EGH, receiving a report on ECVR report from the NGECC Chairperson Dr Joyce Mutinda, PhD. EBS.*

### 2.1.3 Equality and Inclusion in County Governments

To promote inclusive county budgets that address issues of SIGs, the Commission through the Nakuru regional office provided input during the Nakuru County FY2022/2023 budget public participation forum held on 21st March 2022. The Commission proposed priority key interventions for SIGs that include; involvement in policy development, social protection outreach programs for the elderly, and increased investment in the empowerment of women living in the informal settlements. This is the first step towards ensuring that the programs that address issues of SIG at the county level are budgeted for.

### 2.1.4 Equality and Freedom from Discrimination in Children programs

During the period under review, the Commission contributed to the development of monitoring tools of the costed Kenya National Plan of Action (NPA) 2022–2026 for Online Child Sexual Exploitation and Abuse (OCSEA). The plan domiciled at the Directorate of Children’s Services, Ministry of Public Service, Gender, Senior Citizens Affairs, and Special Programs, aims to guide government, industry, policymakers, civil society organizations and communities to take the right measures to ensure that the internet is safe for children. It outlines priority actions for all key stakeholders to establish an effective response to the rapidly changing space of the internet and its impact on children. The NPA builds on key strengths and seeks to address gaps in Kenya’s child protection system regarding both the prevention of and response to OCSEA. The plan will also be used to identify progress in activities to prevent and respond to OCSEA as well as to identify weaknesses, gaps, and challenges. During the successive financial year, the Commission will monitor and advise on the implementation of the plan.

The Commission participated and contributed to a policy dialogue meeting on expanding opportunities for gender equality and inclusion to children with special needs in the social development agenda. The dialogue was held on 27th May 2022. The forum focused on possible opportunities for children with special needs in the education sector, social protection sector, care, and further into employability (at adulthood). The dialogue also aimed to engage children in alternative approaches to effective learning in mathematics, computing, and reading. The forum inducted participants to the principle of *inclusive quality education for all*. The meeting resolved to further examine the full spectrum of current policies and how they address the needs of children with special needs.

As a member of the national technical working group, the Commission facilitated the Directorate for Social Development (DSD) in the development of the draft National Parenting Manual. The manual is aimed at developing and enhancing positive parenting skills within the family environment. The first generational pre-test tools for this manual

- ii. Under the Kenya Inclusive Political Parties Programme (KIPP), the Commission participated in a consultative forum with political parties, Organizations of Disabled Persons (ODPs), Civil Society Organizations (CSOs), and various state actors in tracking progress made by electoral stakeholders in championing PWD participation in the political process. The meeting also documented key strides made so far since 2010 regarding the inclusion of PWD in leadership, decision-making, and governance.
- iii. Through the Kisumu regional office, the Commission participated in a Consultative meeting on political tolerance. The meeting brought together political parties, state agencies and other relevant stakeholders. The meetings were held on 17th February 2022, and on 25th March 2022, in Kisumu and Migori counties respectively. Through this office, the Commission also participated in Kisumu County Multi-Stakeholders Consultative Forum on mitigating possible electoral violence during the August 2022 elections. The forum was organized by the Center for Multiparty Democracy- Kenya (CMD-K) and International Republican Institute (IRI). The forum was held on 18th February 2022.
- iv. The Commission contributed towards the launch of a UNWomen project entitled *'Enhancing Women's Participation in Political Leadership and Decision Making'*. The project is a three-year program targeting 7 Counties (Kericho, Wajir, Kisii, Homabay, Samburu, Kajiado and Embu) and aims at increasing participation and representation of women in political leadership and decision-making in Kenya.

### **c) Media Engagement**

Through press releases, the Commission called on political parties to comply with the not more than two-thirds gender principle in the political party processes ahead of the August 2022 general election. The Commission called on agencies with the greatest responsibility in electoral management to ensure that the electoral processes are inclusive and comply with the principles of equality and inclusion. The Commission acknowledged that media has a significant role in ensuring; balanced coverage of manifestos of all candidates irrespective of their gender or ability, gender-sensitive and specific reporting that adheres to the fundamental rules and requirements set for journalism, provides sex-disaggregated data and highlights the points of difference offered by SIGs to the electorates, just to mention a few.

### **d) Capacity Building of Aspirants and Candidates**

The Commission facilitated the training of 55 candidates representing Special Interest Groups in the 2022 general elections. The training focused on building their capacity on mounting effective campaigns and sharpening their communication skills and self-positioning statement during the election. The activity was held in Nakuru County on the

were launched in December 2021. The manual is envisioned in the 2019 National Family Policy on Promotion and Protection. The manual is expected to be finalized in the Financial Year 2022/2023. NGECC proposes to collaborate with the University of Nairobi to mount a national conference on family and socialization to discuss key elements of this manual and the National Family Promotion and Protection Policy.

### **2.1.5 Facilitate State Compliance with Reporting of International and Regional Obligations**

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

#### **a) The 66 Session of the Commission on the Status of Women (CSW)**

The sixty-sixth (66) session of the Commission on the Status of Women took place from 14 to 25 March 2022. Due to the COVID-19 pandemic, CSW66 took place in a blended format. All side events and parallel events were fully virtual. The priority theme was *“achieving gender equality and empowerment of all women and girls in the context of climate change, environment and disaster risk reduction policies and programmes.”*

As a member of the technical committee, the Commission Contributed to the development of the Kenya Country Position Paper to the Sixty-Sixth Session of the Commission on the Status of Women (CSW 66). The Commission also participated in and facilitated planning meetings for the 66<sup>th</sup> CSW. In collaboration with the State Department for Gender and other Stakeholders, the Commission contributed to the dissemination of the concluding observation of the 66 Session for CSW. In the next financial year, the Commission will monitor and ensure compliance by the State on concluding observations made in the 66<sup>th</sup> session of the CSW and support the State prepare, plan and comply with the requirements for the 67<sup>th</sup> CSW session.

#### **b) United Nations 12th Session of the Open-Ended Working Group on Ageing (OEWG),**

The United Nations 12th Session of the Open-Ended Working Group on Ageing (OEWG) aims to discuss concrete ways to strengthen the protection of human rights for persons as

and when they age. The 12th Session of the OEWG was held on 11-14 April 2021 in New York. The main theme was; the “contribution of older persons to ‘sustainable development’ and ‘economic security’”. The session also reviewed the normative inputs of the 11th session on the ‘right to work and access to the labour market’ and ‘access to justice’ for older persons.

The Commission in collaboration with the Department of Social Protection and other stakeholders contributed to the preparation of the Country Position Paper for the 12th session of the Open-Ended Working Group on Ageing. The Technical working group considered the existing international framework of the human rights of older persons and identified possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures. The Commission ensured the timely finalization and submission of the Country position paper.

### **c) Conference of States Parties to the Convention on the Rights of Persons with Disabilities**

The 15th session of the Conference of States Parties to the CRPD (COSP15) took place at the United Nations Headquarters, New York, from 14 to 16 June 2022. The COSP15 was held in-person format. The 2022 overarching theme was: *Building disability-inclusive and participatory societies in the COVID context and beyond*. The sub-themes were; Innovation and technology advancing disability rights, Economic empowerment and entrepreneurship of persons with disabilities. and participation of persons with disabilities in climate action, disaster risk reduction, and resilience against natural disasters.

The Commission contributed to the preparation of the Country report for the Conference of State Parties on the status of the Implementation of the Convention on Rights of Persons with Disabilities (CRPD). The Commission facilitated the deliberation on the progress made by Kenya in the implementation of the CRPD and ensured the timely finalization and submission of the County report. The Commission also attended in person the 15th session of the COSP to the CRPD in the United Nations Headquarters, New York.

Further, the Commission participated in the review of the de-institutionalization of guidelines for Persons with Disabilities as proposed by the Committee on the Rights of Persons with Disabilities. This is in line with Article 19 of the CRPD which requires states to ensure that PWDs have an equal choice to live independently in the community and that they have access to quality and affordable support services and assistive devices.

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<sup>1</sup> <https://unwod.org/events/united-nations-12th-session-of-the-open-ended-working-group-on-ageing-oewg-11-14-april-2022>

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

During the review period, the Commission facilitated the National Council for Children Services (NCCS) in drafting 6<sup>th</sup> and 7<sup>th</sup> State reports on the Convention on the Rights of the Child (UNCRC). The report responded to the concluding observations raised by the Committee of Experts on the CRC in respect to Kenya 3<sup>rd</sup> to 5<sup>th</sup> periodic report that included key issues on; Corporal punishment, harmful traditional practices, administration of juvenile justice, completion of the harmonization of national legislation and regulations with the Convention, including by adopting new legislation to replace the Children Act (2001), lack of a comprehensive system to monitor and track the realization of all rights of the child at the national and county levels, and insufficient disaggregation of the data on children to enable planning and resource allocation, need to establish a clear regulatory framework for business enterprises operating in Kenya to ensure that their activities do not negatively affect child rights or breach environmental, health or labor standards, especially those relating to children, end discrimination against certain groups of children both in policy as well as in practice, and with specific focus on rights of girls, children with disabilities, children with HIV/AIDS, refugee children, indigenous children, Nubian children, children in street situations and children from disadvantaged or marginalized families; lack of adequate measures to ensure the best interests of the child are adhered to and is consistently applied in all judicial proceedings and decisions, including formal and informal justice systems and other forms of dispute resolution, such as mediation, that are relevant to and have an impact on children, just to mention a few.

**e) Global Disability Summit (GDS)**

The Global Disability Summit (GDS) is aimed at raising global attention and focusing on neglected areas and inclusive sustainable development with a special focus on PWDs. The GDS strengthens the capacity of organizations of persons with disabilities in the Global South and their engagement with governments, mobilizing targeted and concrete commitments on disability inclusion and inclusive development, and showcasing best practices and evidence from across the world on disability-inclusive development, and progress made.

As a technical member of the Inter-Agency Coordination Committee (IACC) tasked with ensuring state and non-state actors monitor the implementation of commitments for the Global Disability Summit (GDS), the Commission participated in consultative meetings on inclusive Data Charter which is a unique multi-stakeholder initiative working to advance inclusive data for Persons with Disabilities (PWDs) in Kenya. Article 31 of the CRPD requires States Parties to collect appropriate information, statistical and research-

driven data, to enable them to formulate and implement policies based on evidence. NGECC has invested in ensuring Kenya sufficiently complies with Article 31 of the CRPD through additional concerted efforts of GDS.

**f) United Nations Framework Convention on Climate Change (UNFCCC)**

Between June 6 and June 16, the Commission participated in the planning and delivery of the 56th session of the United Nations Framework Convention on Climate Change (UNFCCC) Subsidiary Body for Implementation (SBI), and Subsidiary Body for Scientific and Technological Advice (SBSTA). The meetings were held in Bonn, Germany. The Commission's main focus was on gender equality and inclusion in the climate change adaptations and mitigations with a focus on sustainable financing and implementation of the UNFCCC gender action plan. The lessons and key recommendations will be used to inform the content and scope of the 27th Conference of Parties (COP 27), scheduled to take place in November 2022 in Egypt.

**g) Engendering REDD+ Readiness Process in Kenya**

Kenya is a signatory of the Cancun Agreements reached at the 16th Conference of the Parties (COP 16) to the United Nations Framework Convention on Climate Change (UNFCCC). The agreement sets global policy initiatives to address threats of climate change by Reducing Emissions from Deforestation and Forest Degradation and fostering Conservation, Sustainable Management of Forests and Enhancement of Forest Carbon Stocks referred to as REDD+.

In March 2022, the Commission participated in the launch of the National REDD+ Strategy and County Approach to safeguards which will provide a framework for driving the REDD+ process in the country. The forum was organized in collaboration with the Ministry of Environment and Forestry and UNDP. This was a blended meeting that coincided with the UNEP @50 celebrations. The strategy offers the Commission an entry point to monitor the participation and inclusion of Minority and Marginalized communities in the implementation of REDD+ strategies in Kenya. The strategy also positions the Commission as a gender monitor in all key elements of REDD+ in Kenya. In previous years, NGECC supported UNDP and the Ministry of Environment and Forestry to produce a report on gender dimensions in the REDD+ initiative among communities living in and around the forest and conservation zones in selected parts of Kenya.

**h) International Covenant on Civil and Political Rights.**

The Commission participated and provided feedback during the validation workshop of the implementation plan of the overall concluding observations on Kenya's 4<sup>th</sup> Periodic Report under the International Covenant on Civil and Political Rights. The Commission was concerned with the concluding observations on gender equality and specifically the need to intensify efforts to implement constitutional provisions requiring not more than two-thirds of elective and appointive positions be persons of the same gender; strengthen measures to address and prevent violence and harassment among women seeking elective

office, including the prosecution of such crimes, and ensure that the specific needs of women are included in efforts to mitigate and recover from the economic effects of the COVID-19 pandemic. In the next financial year, the Commission will continue monitoring the implementation of the concluding observations<sup>2</sup>.

**i) Madrid International Plan Of Action on Aging (MIPAA).**

The Madrid Plan of Action offers a bold agenda for handling the issue of ageing in the 21st century. The MIPAA makes recommendations to improve older people's lives. It is the first global agreement that recognizes older people as contributors to the development of their societies, and which commits governments to include ageing in all social and economic development policies and programs. It focuses on three priority areas: older persons and development; advancing health and well-being into old age; and ensuring enabling and supportive environments.

The Commission facilitated the State Department for Social Protection, Senior, Citizens affairs and special programs in preparation for the Country report on the fourth review of the Madrid International plan of action on ageing.

**j) Kenya's Africa Peer Review Mechanism (APRM)**

The Commission participated in the validation of Kenya's Africa Peer Review Mechanism (APRM) targeted Review Report on the BIG 4 agenda and the National Governance report organized by the New Partnership for Africa's Development (NEPAD)/Africa Peer Review Mechanism (APRM) Kenya Secretariat. The review assessed the progress made on Affordable Housing, Expansion of Manufacturing, Food Security and Nutrition and Affordable Healthcare. The review sought to provide the accurate and authentic analysis needed to address challenges in the implementation. The purpose of the review is to ensure that Kenya fulfils its economic and social development agenda.

The Review was carried out in the 47 counties between November 29 to December 19, 2021. The Commission gave inputs on gender dimensions and perspectives in each of the key pillars of review and ensured inclusion and equality issues, gaps and opportunities were documented. The validated report will be used during the peer review at the African Head of states forum slated for 2022.

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

The Commission is a member of the Technical Working Group of the ICPD-25. During the period under review, the Commission made a written submission and made a presentation on the status of implementation at International Conference on Population and Development (ICPD), specifically on ICDP+25 commitment 5, dubbed, *End gender*

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<sup>2</sup> CCPR/C/KEN/CO/4

*and other forms of discrimination by 2030 through enforcing the anti-discrimination laws and providing adequate budgetary allocations to institutions mandated to promote gender equality, equity and empowerment of women and girls. The Commission called on development partners, the private sector, communities and government to increase resource allocation to anti-FGM programs and interventions on GBV to accelerate its elimination by end of 2022 and 2026 respectively. The Commission will provide a score card of performance on these key indicators during the third annual ICPD+25 review report.*

#### **l) UN Sustainable Development Cooperation Framework (2022-2026) for Kenya.**

The Commission facilitated and contributed to the development of the UN Sustainable Development Cooperation Framework (2022-2026) for Kenya. The UNSDCF (or “Cooperation Framework”) is “the most important instrument for planning and implementation of the UN development activities at the country level in support of the 2030 Agenda for Sustainable Development (2030 Agenda)”. The Commission was responsible for ensuring mainstreaming of issues of special interest groups in all key actions identified within the framework. The activity took place between the 21<sup>st</sup> and 25<sup>th</sup> of February 2022. The Commission will contribute to the implementation of the framework especially on Strategic Objective 1 on People and Peace.

Further, the Commission contributed to the development of Kenya’s SDGs recovery and acceleration strategy (2022 - 2030) in April 2022. Under SDG 5, the Commission emphasized the need for Kenya to legislate on the not more than two-thirds gender principle as provided for in Article 27 (8) of the Constitution of Kenya, 2010. Kenya should also fast track ending of GBV, and manage the impacts of violence on individuals, families, and the larger community.

#### **m) Ratification by Kenya of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons and Rights of PWDS in Africa**

During the period under review, the Commission facilitated the processes of ratification by Kenya of the protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons and the Rights of PWDS in Africa. The protocols seek to promote, protect and ensure full and equal enjoyment of all human and people’s rights by older persons and persons with disability. The protocols complement existing legal and policy efforts and address existing gaps. The Commission facilitated the responsible agencies including Ministry for Foreign Affairs, Ministry for Labour and Social Protection, and the Parliament departmental committee on labour and social welfare prepare necessary submissions for consideration by Kenyans through public participation. Also, the

Commission facilitated Parliament to prepare necessary attendant legal documentation for consideration by the African Commission on Human and Peoples' Rights.

## **2.2 Investigations and Redress**

### **2.2.1 Reduce Violation of the principles of equality and Freedom from discrimination for SIGS**

#### **a) Complaints Management**

During the period under review, the Commission received from the public and processed 89 complaints on the violation of the principles of gender equality and freedom from discrimination. This shows an increase of 33% in the complaints received in the FY 2020/2022 (n=67). Table 2, appendix 2 presents a summary of the complaints received and processed.

#### **2.2.2 National Gender and Equality Commission Complaints Handling and Procedure Regulations, 2022**

During the year under review, the Commission finalized the development of the National Gender and Equality Commission Complaints Handling and Procedure Regulations, 2022. The regulations were approved by the National Assembly and Gazetted on May 4, 2022. The regulations support the Commission to implement the mandate set out in Section 8 (f) and 28 (1) of the NGEC Act 2011. It gives effect to the function of investigations particularly on its own initiative or on the basis of complaints. It also facilitates the Commission to carry out public inquiries into any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the concerned institutions as spelt out in section 8 and sections 26 (c), and 29 (1) of NGEC Act 2011.

The Regulations are expected to support the Commission address gender inequalities and discrimination against all women, men, persons with disabilities, the youth, children, the elderly, minorities, and marginalized communities.

The Commission through the Kisumu regional office in partnership with the Witness Protection Agency (WTA) and Civil Society Organization (CSO) Network, sensitized actors on the NGEC complaints reporting mechanism, specifically on the use of an online system to lodge complaints related to Sexual and Gender-Based Violence, discrimination and inequality and exclusion of SIGs during 2022 general elections. The sensitization meetings were held in Kisumu, Siaya, Kakamega and Homa Bay Counties.

#### **2.2.3 Facilitate Legal Redress for SIGs**

During the period under review, the Commission was enjoined in a court matter petition E211 of 2022 at the High Court of Kenya on compliance of the political parties with the

not more than two-thirds gender rule when constituting nomination and political party lists. While the judgment placed unanticipated responsibility on IEBC, the Commission has taken the leadership in the appeal of the matter in an appellant court and is awaiting the judgment.

In addition, the Commission was engaged in multiple other mechanisms of convincing the political parties to voluntarily comply with the not more than two third gender rule. Such mechanisms included facilitated dialogue on the subject matter and targeted meetings with the leadership of the various political parties, as well as holding specific training for various SIG groups. During the period 2021/2022, the Commission was involved in 12 litigation cases as summarized in Table 3, appendix 2.

#### **2.2.4 Review of Standards, Policies and Legislation**

During the period under review, the Commission reviewed and issued memoranda on 55 legal, policies, and administrative instruments both at the County and National levels as summarized in Table 4 in appendix 2. The inputs were mainly to address equality and inclusion issues and ensure the rights and freedoms of the most vulnerable population are guaranteed, protected and promoted. Compared to the 2020/2021 Financial Year the number of reviewed legislative instruments decreased by 21.8% mainly due to the political transition in the country.

#### **2.2.5 Issue of Advisories**

In the Financial year 2021/22, the Commission issued an advisory on the compliance of the not more than two-thirds gender principle in the appointments of the new Independent and Electoral Boundaries Commissioners. The four Commissioners were expected in office between July and September 2021. The first advisory issued on 11<sup>th</sup> August 2021 was addressed to the office of the President and sought to have the President reject the list of nominees presented since it did not comply with the principle. The National Assembly had presented to H.E. President a list with few women and if considered then IEBC would only have two women Commissioners and 5 male Commissioners including the Chairperson. The advisory urged the President to request the National Assembly forward a fresh list that adhered to the not more than two-thirds gender principle and regional balance.

The second advisory on this matter was addressed to the Speaker of the National Assembly on 11th August 2021 and requested the Assembly to consider the not more than two-thirds gender principle during the vetting process of the names of candidates proposed to hold the office of Commissioners for IEBC. The two advisories sought to support the country comply with the provisions of Article 27(8) of CoK 2010.

The third advisory was issued to Cabinet Secretary (CS) in the Ministry of Public Service, Gender, Senior Citizens Affairs and Special Programmes on 3<sup>rd</sup> November 2021. The advisory requested the CS to look into many complaints presented to the Commission by

older persons or their care givers on discontinued access to *Inua Jamii* Cash Transfer Facility for clients who either in the past had accessed the same or those who were enrolled in yet their accounts were inactive without any good reason given to the beneficiaries. The advisory also requested the CS to consider expanding the eligibility criterion of *Inua Jamii* Program beneficiaries to all persons of age 70 and above within the Republic of Kenya.

### **1.2.5 Reduction of Violations of the Principle of Equality and Freedom from Discrimination among SIGs in County Governments**

The Commission in collaboration with Humanity Inclusion disseminated the County Model Policy and Model Legal framework on Sexual Gender-Based Violence in five (10) counties namely; Samburu, West Pokot, Tharaka Nithi, Laikipia, Kilifi, Wajir, Nyandarua, Vihiga, Isiolo and Turkana. The model policy and legal frameworks will facilitate the counties to formulate country-specific laws and policies that address SGBV. The model policy and legislation framework are also key sources of information for the duty bearers in response, prevention, and management of SGBV. Based on this effort, Tharaka Nithi and Isiolo have counties developed their own County Gender Based Violence policy during the reporting period.

### **2.2.6 Assessment of Violence against Children**

During the period under review, the Commission conducted a rapid investigative mission at Engineer sub-county, Nyandarua County on a matter of alleged defilement of a child. The NGEC ‘investigative’ team held discussions with the county children officer, the county director for gender, and the sub-county administrators and issued recommendations on the case. The recommendations included; the need for the survivor to be enrolled back in school; placement of the child and her baby in a safe environment/custody, provision of psychosocial support to the survivor and her parents, and for the child officer to work closely with the office of the Director of Public Prosecutions to fast track the conclusion of the investigations and the entire matter in court.

On 9th June 2022, the Commission conducted a rapid review on a matter of alleged defilement of a minor in Nakuru County. It was alleged that the girl had been defiled and impregnated by her step-father and that the father had attempted to support the minor terminate pregnancy. The Commission mounted a case conference with key partners to address the matter. The partners were drawn from the State Department for Gender, the county government, Shelter Homes Forum, Nakuru Legal Aids Services, and the Department of Children Services. The child was rescued and placed at Florics of Hope Rescue Centre. A follow-up of the subject’s case in court revealed that the file number was missing from the registry and that the case was dormant due to the Covid-19 pandemic.

The Commission will continue to make the follow-up to ensure justice is provided to the survivor and her family.

### **2.2.7 Rapid Assessment on Security of Special Interest Groups**

Together with other stakeholders in Lamu County and with the support of Tuko Pamoja Kenya, the Commission through its Malindi office conducted a rapid assessment of the security situation in Lamu on the 21<sup>st</sup> and 22<sup>nd</sup> of January 2022 at Juhudi Hosting Camp. The forum assessed the impact of the 2<sup>nd</sup> January 2022 attack reported in Mkunumbi and Hindi Divisions on the livelihoods of Special Interest Groups in Lamu County where over 500 families were displaced. A commitment was made to establish interventions that include; a) community-led security programs that will sustainably help to address conflicts, and b) reduce radicalization as well as counter violent extremist activities.

## **2.3 Public Education and Mainstreaming**

Section 8(d) of the National Gender and Equality Commission Act, 2011 mandates the Commission to coordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof. Further Section 8(h) mandates the Commission to coordinate and advise on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination. During the reporting period, the Commission completed several interventions on mainstreaming gender equality and inclusion as discussed in the sub-sections that follow.

### **2.3.1 Coordination and Stakeholder Consultative Meetings**

In fulfilment of its coordination mandate on issues affecting Special Interest Groups, the Commission facilitated 53 consultative meetings aimed at bringing stakeholders together to discuss issues affecting SIGS and draw strategies for addressing challenges faced by SIGs in matters of equality and inclusion.

Among the issues discussed during the period include participation and inclusion of SIGs in the 2022 General Election, prevention and response to GBV and election-related violence, protection and promotion of rights of Persons with Disabilities and children, the welfare of older persons of society given the persistent 2020/2021 economic recession, 2022 general election, services provided by various stakeholders, sensitization on GBV reporting tool, County SGBV Directory, sharing of reports, experiences and dissemination of the SGBV referral tools. The Commission invested more in meetings that took stock of the level of preparedness, participation, and inclusion of SIGs in elections. The coordination meetings have been used as platforms for advocacy and joint action on matters affecting SIGs at both national and county Government levels.

### 2.3.2 Commemoration of International and Regional Days related to Issues of SIGs

During the Financial Year 2021-2022, the Commission facilitated the commemoration of 15 International and Regional days:

- a) The International Day of the World's Indigenous Peoples held every 9th of August. The theme for 2021 was *“Leaving no one behind: Indigenous peoples and the call for a new social contract”*;
- b) International Youth Day is commemorated every 12th day of August. The 2021 theme was *“Transforming Food Systems: Youth Innovation for Human and Planetary Health”*.;
- c) The international Day for Older persons held every 1st October, under the theme *“Digital Equity for All Ages.”*;
- d) International Rural Women's day commemorated every 15th October, under the theme *“Rural Women Cultivating Good Food for All”*;
- e) 16 Days of Activism 25th Nov-10th Dec 2021 under the theme *“Orange the World: End Violence Against Women”*
- f) International Day for PWDs commemorated on the 3rd of December under the theme *“Leadership and participation of persons with disabilities toward an inclusive, accessible and sustainable post-COVID-19 world”*.
- g) The International Day of Zero Tolerance to FGM is an awareness day marked every 6th February to educate the public on issues of Female Genital Mutilation, mobilize political will and resources to eradicate FGM and celebrate achievements and preserve gains made so far in the efforts of ending FGM. The 2022 theme for the celebrations was *“Accelerating Investment to End Female Genital Mutilation”*;
- h) The International Women’s Day (IWD) 2022. The theme for celebrations was *“Gender equality today for a sustainable tomorrow: Breaking the Bias.”* The Commission celebrated IWD, IN Turkana, West-Pokot, Kilifi, Samburu and Tharaka Nithi Counties.
- i) International wheelchair day was held on 1st March at the University of Nairobi graduation square. The theme for the 2022 celebration was my *“wheelchair my ability to inclusion”*.
- j) Day of the African Child (DAC) is marked every 16<sup>th</sup> of June. The 2022 theme was *‘Eliminating Harmful Practices Affecting Children: Progress on Policy and Practice since 2013’*. The theme called on the need to re-evaluate the approaches, policies, programs and legislation that have been adopted by Kenya since the celebration of DAC 2013.
- k) World Elder Abuse Awareness Day is marked every 15<sup>th</sup> of June. The 2022 theme was *“Building Strong Support for Elders”*. The theme called on the need to plan and build a society for all and to provide specific and adequate support to older members of society.

- l) The International Albinism awareness day was held on 13<sup>th</sup> June 2022 in Kilifi County. The theme of the celebration was “*United in making our voice heard.*” The theme was chosen to amplify the voices, and highlight the work being done, and for, people with albinism.
- m) International Families Day whose theme was “*Families and Urbanization*” held on 16<sup>th</sup> May 2022,
- n) The International Museum Day whose theme was “*The Future of Museums: Recover and Reimagine*” held on 18<sup>th</sup> May 2022, and,
- o) The World Day for Cultural Diversity for Dialogue and Development dubbed “*National Women’s Peace Walk*” on 21<sup>st</sup> May 2022. During this commemoration, the participants were informed about the importance of sustainable and family-friendly policies

The Commission issued press statements in three-quarters of the days it commemorated. This is to ensure the key message carried during the commemorations is disseminated widely to duty bearers and SIGs. The press statement also appreciates the progress made in matters of equality and inclusion and notes key gaps and available opportunities for the State to consider.

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

During the period under review, the Commission facilitated the strengthening of Equality and Inclusion Technical Working Groups (E&ITWG) in 12 Counties: Samburu, West Pokot, Tharaka Nithi, Laikipia, Kilifi, Wajir, Nyandarua, Vihiga, Isiolo Narok, Lamu and Turkana. The E&ITWGs are designed to act as vehicles for monitoring the progress that the National and County governments are making in promoting gender equality and freedom from discrimination. They are also expected to identify emerging drivers of exclusion and develop County specific accountability framework to ensure SIGs' rights are protected and promoted.

### **2.3.4 Public Education Fora**

During the Financial Year 2021-2022, the Commission facilitated public education meetings and workshops in 16 Counties: Baringo, Elgeyo Marakwet, Narok, Tharaka Nithi, Kilifi, Samburu, West Pokot, Isiolo, Laikipia, Nyandarua, Vihiga, Wajir, Turkana, Nyeri, Garissa, Siaya and Nakuru Counties on different dates (2<sup>nd</sup> - 9<sup>th</sup> July 2021, 16<sup>th</sup> - 20<sup>th</sup> August 2021, 6<sup>th</sup> -18<sup>th</sup> December 2022, 2<sup>nd</sup> to 4<sup>th</sup> February 2022 and 6<sup>th</sup> -12 March 2022, 12-14<sup>th</sup> April 2022).

The education session focused on building the capacity of different actors in addressing patriarchal and harmful practices against women and girls; facilitating access to justice by fast-tracking gender-related cases, especially on gender-based violence; engaging and supporting male champions in a) supporting participation of SIG in the development

agenda, b) addressing GBV and c) on the challenges of access of justice during the COVID-19 pandemic.

During the fora, opportunities available for greater engagement and participation of SIGS in the county and national development were discussed. The forums were able to reach over 1800 persons including representatives of children, youth, women, PWDS, Older members of society and minority and marginalized communities. Through public education efforts by the Commission, there was an increase in the reporting levels on violations of the principles of gender equality and freedom from discrimination including Gender-based Violence.



*Members of indigeneous forest dwellers pose for a photo during an education meeting organized by the Commission in Elgeyo Marakwet County, on August 11, 2021*

### **2.3.5 Promotion of Equality and Inclusion of SIGs in Various Sectors of Life**

#### **a) Annual National Indigenous Women Conference**

In November 2021, the Commission participated and contributed to the Annual National Indigenous Women Conference in Isiolo County. The theme was “*Strengthening Indigenous Women's Inclusion in Natural Resource Governance and Tenure Rights*”. The forum reached 120 grassroots Indigenous Women from Baringo, Elgeyo Marakwet, Laikipia, Marsabit, Tana River, Samburu, Turkana, Isiolo and Nakuru Counties. The representatives of the National and County governments, Commissions and CSOs were also in attendance. The conference was aimed at creating an enabling environment for indigenous women leaders to; interact and freely voice out their concerns for redress and seek solutions, improve understanding, information sharing and learning among indigenous women. The intended outcome of the meeting was to enhance the organization and participation of the community in land protection processes and at enhancing women's inclusion in the ownership and management of land and natural

resources. The conference enhanced the visibility and awareness of the Commission amongst the participants. The Commission called for the prioritization of community land claims and the greater inclusion of women of indigenous communities in the development agenda.

**b) Impact of the Mining Industry, Natural Resource Exploration and Community Land Tenure System on Women’s Rights to Access Use and Own Property**

The Commission participated and contributed to a forum on the Impact of the Mining Industry, Natural Resource Exploration and Community Land Tenure System On Women’s Rights to Access, Use and Own Property. The meeting was organized by Kenya Legal and Ethical Issues Network on HIV & AIDS (KLEIN) on 23<sup>rd</sup> September 2021. During the meeting, the Commission was requested to consider conducting an audit on the impact of the mining industry, natural resource exploration and community land tenure system on women’s rights to access, use and own property.

**c) Peacebuilding, Conflict Prevention and Mitigation**

The Commission participated and contributed to a national consultative meeting on peacebuilding, conflict prevention and mitigation on 16<sup>th</sup> September 2021 in Nairobi. The forum brought together stakeholders to deliberate on strategies for promoting ethnic dialogue and reconciliation. The meeting mapped out key actions necessary to mitigate politically instigated conflicts at the community level. Other strategies identified include; people-to-people peacebuilding approaches, and citizen participation in the county and national level peace-building dialogues.

**c) The 10-Year Assessment of the Impact of Devolution on Women and Girls.**

The Commission participated and contributed to a consultative meeting organised by the Council of Governors on the 10-year assessment of the impact of devolution on women and girls. The Commission contributed to a sub-chapter on gender issues, how county governments have invested in inclusion and elimination of inequalities, missed opportunities, and recommendations for accelerating the realization of gender equality and inclusion in devolved functions including among others, early childhood, technical and vocational education, health, agriculture, water, culture, and forestry.

**d) Women in Business**

The Commission contributed and participated in a stakeholders meeting to discuss challenges that women in the business encounter. The meeting identified available opportunities towards eliminating discrimination and closing the gender gap in businesses. The meeting was hosted by the Association of Media Women in Kenya (AMWIK). The meeting was held on 9th September 2021 at Monarch Hotel, Nairobi and

sought to leverage on media in ensuring a gender-responsive society grounded on robust Women's Economic Empowerment programs.

### **2.3.6 Inclusion of Persons with Disability in Development**

The Commission through the Garissa regional office with financial support from Sisters Maternity Home (SIMAHO) conducted an awareness program to the public on a programme title 'Know your rights campaign for Persons with Disabilities Living with HIV (PWDLHIVs)'. The program aims at informing the public on the forms of violence directed at PWD, punitive laws affecting HIV services, the rights to health services of PWDLHIV, the role of police, paralegals and other human rights watch persons in fighting the stigma of HIV and discrimination directed to PWDs. The net outcome of this program is enhanced reporting levels in the Garissa Commission office on violations of the rights of PWDs and especially those with HIV/AIDS.

### **2.3.7 Gender-Based Violence: Prevention and Response**

#### **a) Policare**

POLICARE is a novel multisectoral criminal justice model designed and spearheaded by the National Police Service (NPS). It seeks to address cases of sexual and gender-based violence (SGBV) more holistically and expeditiously. The model is predicated on the reality that SGBV is a multi-faceted crime whose redress necessitates synergies of multiple actors. The intervention is amongst a raft of police reforms programs meant to recalibrate the overall policing model in Kenya, making it more proactive and necessarily responsive.

As a member of the Policare Technical Working Group, the Commission facilitated the development and the launch of the Nairobi Policare Pilot Model, the dissemination of the Policare Concept in more than 14 Counties, the development of key guiding documents including the Policare Policy, Standard Operating Procedures (SOPs) and the Policare Strategy. The launch was held on 13<sup>th</sup> October 2021. In addition, the Commission facilitated the process of linking the POLICARE program to established safe houses and shelters. The Commission will monitor, coordinate and facilitate the rollout of the Police to all counties. The initiative is meant to promote accessibility of pertinent services within the justice chain, underscoring the provision of priceless dignity to survivors of SGBV in Kenya.

#### **b) GBV and Elections**

The Commission facilitated the National Police Service Stakeholder forum on Serious Human Rights Violations and Sexual Violence Related to elections from 18<sup>th</sup> to 21<sup>st</sup> January 2022 in Nakuru County. During the forum, the Commission shared its experiences and lessons learnt from the 2013 and 2017 elections monitoring with a focus

on election-related GBV. The Commission also shared key priority interventions for GBV prevention during the 2022 general election.

### **c) Children's Response to Health and Socio-Economic Impact of COVID-19**

The Commission in collaboration with UNICEF Kenya through the European Union response to the health and socio-economic impact of COVID-19 in the Intergovernmental Authority on Development (IGAD) region project, implemented the following activities in Dadaab Sub County:

- Mentorship forum for girls out-of-school and girls in-school within the refugee and host communities in Dadaab. The forum addressed issues of GBV, child protection and harmful cultural practices, and the effects of COVID-19 on the livelihoods of refugee and host communities.
- Facilitated the coordination of the interagency GBV working group to discuss progress made so far by all actors in reducing GBV cases in the host and refugee communities.
- Facilitated the training of GBV and child protection volunteers to establish a community-based GBV and child protection network to sensitize, identify and respond to violence against women, girls and children at the ward level.

#### **2.3.8 Production of Information, Education Materials (IEC)**

During the period under review, the Commission produced 10 variants of information, education and communication materials for promoting violence-free and inclusive elections in Kenya. Some of the materials include pamphlets, fact sheets, T-shirts, Caps, Bags, reflector jackets, and Shirts.

## **2.4 Research and Knowledge Management**

### **2.4.1 Strengthen Research Capacity for the Commission**

In the 2021/2022 financial year, the Commission finalized the development of the draft NGEN Research Policy. The draft policy shall provide a framework through which the Commission will discharge its mandate of conducting and coordinating research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution of Kenya and the National Gender and Equality Commission Act, 2011 Section 8 (1). The draft policy covers all the research processes from conceptualization through to dissemination of findings. The draft policy further provides statements on the development of partnerships, collaborations and linkages in conducting research at the Commission. The draft policy also covers different forms of research activities the Commission is mandated to conduct including audits, assessments, investigations and exploratory studies. The draft policy benefited from peer review from research agencies including African Population & Health Research Centre (APHRC) and

The Kenya Institute for Public Policy Research and Analysis (KIPPRA). The draft policy shall be finalized and executed in the next financial year.

#### **2.4.2 Gender Statistics: Sex, Age, Disability and Gender-Disaggregated Data**

As a member of the Gender Sector Statistic Committee, the Commission facilitated the Kenya National Bureau of Statistics to develop data collection tools, study protocols and training materials on gender modules for the 2022 Kenya Demographic Health Surveys. Further, the Commission facilitated the Kenya National Bureau of Statistics to validate the Gender Statistics for the Economic Survey, 2022. Validation of the data was key to ensuring completeness of the data submitted by MDAs; carrying out a trend analysis; editing the data; making recommendations on the scope of the report and sanctioning the report for publication to provide the country with credible datasets for decision making. The Commission also participated in the launch of the Economic Survey 2022.

The Kenya Inter-Agency Gender Statistics Committee is headed by the Kenya National Bureau of Statistics with the support of UN Women and has successfully piloted the *Making Every Woman and Girl Count (MEWGC) programme*. The MEGWC is aimed at supporting the monitoring and implementation of the Sustainable Development Goals (SDGs) through better production and use of Gender Statistics. By improving the quality of gender statistics, it is anticipated that policy, advocacy, and accountability efforts will better deliver on gender equality and women's empowerment. During the financial year, the Commission participated in several meetings aimed at deliberating the achievements, challenges and lessons learnt in implementing the project in Kenya. NGECC was requested to support KNBS in disseminating the gender data sheets and developing and maintaining a portal on gender equality and inclusion.

Since the beginning of the 2021-2022 Financial Year, the Commission has been supporting KNBS to compile and produce gender-specific data and sex-disaggregated data collated from various surveys and censuses conducted between 2019 and 2022. The net product is a pocket-friendly reference booklet titled, 'Women and Men in Kenya'. The booklet is produced with the support of the Swedish Government. The third edition of this booklet shall be launched in the 2022-2023 Financial Year.

In the same reporting period, the Commission worked closely with KNBS and other actors to produce nine gender monographs based on the 2019 census data. The monographs provide key thematic results from a gender perspective. These include monographs on a) Information, Communications and Technology, b) disability, c) labour participation and employment, d) fertility, e) migration, f) education and training, g) household and family dynamics, h) marriage, and i) mortality and morbidity. Each of these gender monographs provides rich data and trends by gender and has issued key recommendations on closing

gender gaps where appropriate as well as enhancing robust inclusion of women and girls in specific programs that would accelerate their empowerment.

### **2.4.3 Develop and Maintain Databases on issues Related to Equality and Freedom from Discrimination for SIGs**

During the period under review, the Commission with support from Equality Now, facilitated a stakeholder's workshop to validate and pilot the monitoring and evaluation indicators contained in the 2nd edition of the NGEAC National Monitoring and Evaluation Framework towards Prevention and Response to Sexual and Gender Based Violence in Kenya. The framework provides a standard platform for re-designing the Web Based Gender-Based Violence Information System. The indicators are from key selected sectors including; the National Police Service, Judiciary, Office of the Director of Public Prosecutions, Ministry of Health, Teachers Service Commission, the State Department for Gender, State Department for Early Learning and Basic Education, Anti-FGM Board, and Directorate for Children Services.

The Commission participated and contributed to a roundtable discussion convened by REINVENT aimed at addressing issues of Sexual and Gender-Based Violence (SGBV) Violence Against Women and Girls (VAWG) and the data Collection and Management systems in the country. The meeting also explored strategies for addressing increasing opportunities for women, youth and PWDs participation in electoral processes including nominations by political parties. The meeting reaffirmed the commitment of various state and non-state actors to continue collating data fully disaggregated by sex, ability, age, minority versus minority or marginalization, residence, education status, and poverty.

### **2.4.4 Coordinate Research Activities on Matters Relating to Equality and Freedom from Discrimination**

Section 8(i) of the National Gender and Equality Commission Act, 2011 mandates the Commission to conduct and coordinate Research activities on matters relating to equality and freedom from discrimination. During the 2021/2022 reporting period, NGEAC undertook the following research activities.

- a) **Assessment on the Uptake of Green Energy among SIGS (The Green Energy Project):** In 2019/2020, the Commission received funding from the National Government for a project to assess the uptake of selected forms of green energy by SIGs in Kenya. The project is premised on the fact that Kenya has invested heavily in green energy production and distribution and has made major policy, regulatory and institutional reforms to enhance access to clean energy and to promote investments in renewable energy.

The SIGS are most marginalized in the energy sector and use expensive and dirty hazardous energy. As of 2021-2022, this research project was in phase two. During the FY 2020/2021, the Commission conducted data collection on the assessment

of the uptake of green energy among special interest groups in Uasin Gishu, Kakamega, Garissa, Kiambu and Nyamira Counties. The data collection exercise took place from 6th to 10th December 2021. The report of the assessment is expected to inform Government policies and programmes on the uptake of clean energy among special interest groups in Kenya. In Financial Year 2021-2022, the Commission commenced data analysis and data reduction and with the availability of funds, the project shall be completed in the Financial Year 2022-2023.

**b) Study on Women's Economic Empowerment (WEE), Women Empowerment Collectives (WEC) and Gender Integration (GI) in National Government Ministries, Departments and agencies and county government:**

In partnership with Collaborative Centre for Gender and Development (CCGD), and State Department for East Africa Community, the Commission completed a study on Women's Economic Empowerment (WEE), Women Empowerment Collectives (WEC) and Gender Integration (GI) in National Government Ministries, Departments and agencies and county governments. The objective of the study was to determine progress made in these dimensions of gender equality and gaps to address to accelerate the attainment of Sustainable Development Goal 5 (SDG5).

**c) Gender Dimensions of Corruption:** The Commission facilitated the United National Office for Drugs and Crimes (UNODC) to conceptualize and formulate an assessment of gender dimensions of corruption. The Technical teams from NGEN, the UNODC country office and New York successfully finalized initial consultations on the subject matter and settled on expanding the scope and content of the Kenya corruption studies to include gender dimensions. UNODC shall provide technical support to NGEN and will work closely with the Ethics and Anti-Corruption Commission of Kenya (EACC) to conceptualize the module. The activity is proposed to commence in the 2022/2023 financial year.

**d) Gender Patterns in Labour Participation with a Focus on Time use:** The Commission provided technical support in the design of the estimation of gender patterns in labour participation with a focus on time use. The survey focused on time use distributions by labour activity and gender and other variables with attention to System of National Accounts (SNA) market production activities; production intended to be consumed by the household itself or given free of charge to another party (non-market production) also called non SNA activities. The latter consists of formal and informal unpaid volunteer services and those other domestic and personal services that are consumed within the household also referred to as unpaid care work and unpaid domestic work.

Commission participated under a sub-theme of “*what does the evidence-informed decision-making ecosystem in Africa look like?*” The meeting featured discussions around gender mainstreaming endeavours and the utilization of evidence-generation mechanisms to inform public policy changes. The Commission participated as a panellist and highlighted its overall experience in gender mainstreaming for government agencies; some of the advisories it has issued across such institutions; and how the Commission uses evidence and data in its oversight roles for other institutions on gender mainstreaming.

- i) In partnership with Practical Action (PA) on financial inclusion for economic empowerment through viable models and energy solutions, the Commission through the Kisumu regional office conducted a participatory survey that focused on discussions and learning with relevant stakeholders drawn from Kisumu, Kakamega, Siaya, Homabay and Migori Counties. It was evident that the barriers to financial inclusion among SIGs include but are not limited to: Hidden charges on some services, high-interest rates, imposition of collateral and security on services, overwhelming requirements for eligibility, political interference, harrowing experiences from financial institutions, financial illiteracy, unfriendly policies and bureaucratic processes, retrogressive cultures, myths and norms. The survey sought to unravel practical solutions/models that could be scaled up to facilitate inclusive financing and sustainable economic empowerment initiatives. Both government and CSOs discussed initiatives to improve optimum access to financial services by women.

#### **2.4.5 Monitoring and Evaluation Initiatives:**

To effectively measure the progress made by private and state actors in reversing gender inequalities and discrimination, the Commission was involved in various monitoring and evaluation activities. These include

- a) **The 10th National Monitoring and Evaluation (M&E) Conference-**The Commission participated and contributed to the 10th National Monitoring and Evaluation (M&E) Conference. The objectives of the conference were; To take up the stock of the decade in implementing the National Integrated Monitoring and Evaluation System (NIMES), identify successes, opportunities, and areas of strengthening; to provide a platform for Governments (Regional, National and Countries), development partners, and other stakeholders to share knowledge on monitoring and evaluation M&E approaches, practice lessons and experiences; to share experiences and results of monitoring and evaluation, practices in the public sector over the last decade; to explore emerging M&E practices and their adoption over time; and to review the use of technology in enhancing efficiency in Monitoring and Evaluation. The conference was held from the 4th -8th of April, 2022 at Tom Mboya Labour College.

The Commission made submissions on the value of the greater investment in gender perspectives in all M&E programs, development of indicators, measurements and M&E practices.

#### **2.4.6 Documentation of Commission Work**

During the period under review, the Commission finalized and published the following reports.

- a) The First Decade of the National Gender and Equality Commission (also dubbed the commemoration of NGECE at 10 years), 2011-2021
- b) Promoting Participation and Inclusion of Special Interest Groups in the 2022 Electoral Processes: Monitoring Report of the 2021 Phase One of the Enhanced Mass Voter Registration, Key Results, Emerging Issues, Gaps, Good Practices, and Recommendations
- c) The National Monitoring and Evaluation Framework towards the Prevention of and Response to Gender Based Violence in Kenya (Second Edition), 2022

#### **2.4.6 Internal Monitoring System of Commission Interventions**

The Commission endeavours to ensure equality and inclusion in the execution of its mandate. The spread and coverage of the Commission activities and intervention are rated at the County level with anticipation that further devolution is required. This deliberate measure ensures that far, hard-to-reach areas benefit from the Commission's intervention relative to their needs and that all areas receive services of the Commission as per Article 6(2) of the Constitution of Kenya. The internal program-monitoring framework informs the intensity, frequency, and allocation of interventions across counties.

The frequency of interventions undertaken by the Commission by counties is summarized in Figure 1, appendix 2. In 2021/2022, Kilifi had the highest frequency of interventions followed by Nakuru, Nairobi, Isiolo, Nyandarua, Turkana, West Pokot and Samburu respectively. Comparing with levels of intervention by counties for the period 2020/2021, Nairobi received the highest NGECE interventions followed by Nakuru and Garissa. The distribution of the NGECE activities in 2021/2022 is largely attributed to the presence of the NGECE offices in some of the counties and the partnership between the NGECE and the HI/EU project. Nineteen Counties (Mombasa, Kwale, Tana River, Mandera, Marsabit, Meru, Machakos, Makueni, Kirinyaga, Muranga, Trans-Nzoia, Nandi, Kajiado, Kericho, Bomet, Bungoma, Busia, Homabay and Kisii) received extremely low levels of NGECE interventions. This was due to the COVID-19 pandemic as most of these counties were classified by the Ministry of Health as 'High-Risk COVID-19 counties'. Other reasons include a lack of financial resources and biases by development partners who work closely with NGECE whose investment is focused on specific counties.

The Commission supported the qualitative computation of the contributions of unpaid work to Kenya's economy with the understanding that much of such contributions are from women, girls, older women, and PWDs. This study is intended to inform the development of Kenya's unpaid care policy and the establishment of the national inter-agency unpaid care committee. The report shall be issued in the Financial Year 2022-2023. In regards to the inter-agency committee, NGECC is a member while the State Department for Gender and Affirmative Action is the convener and chair.

- e) The Commission participated and contributed to the validation of a research report on the status of GBV cases within the Judiciary system. The forum which was organized by the Centre for Rights Education and Awareness (CREAW) and Wangu Kanja Foundation was held on 16th March 2022 at Hilton Hotel. The research generated empirical evidence on the status of Gender Based Violence cases within the Judiciary. The report shall inform the Judiciary of the need to establish special GBV courts in Kenya. The assessment covered judiciary departments in Kitui, Meru, Kilifi and Nairobi counties.
- f) The Commission contributed to the validation of the assessment on the return- and reintegration service providers for Kenya migrant workers held from 16th to 17th March 2022. The Commission highlighted gaps in the mapping activity which included among others the omission to take views of SIGs migrant workers and other migrant workers who return as PWDs. The Commission made a case for consideration of the economic contributions of SIGs migrant workers in the negotiation of bilateral trade and labour agreements to protect SIGs migrant workers.
- g) The Commission participated and contributed to the dissemination of the findings on a wave of childcare studies among populations living in informal settlements and nomadic pastoralist settings. The studies were carried out by the African Population and Health Research Centre (APHRC) in partnership with Loughborough University, the University of York, the London School of Hygiene and Tropical Medicine (LSHTM), and Kenyatta University (Kenya). The studies aimed to inform strategies for improving the nurturing care of vulnerable children in slum and semi-nomadic pastoralist settings.
- h) Through the Research division, the Commission contributed to a conference organized by Innovations of Poverty Action (IPA) during the 2021 Africa Evidence Week that took place from 13th to 17th September 2021. The meeting sought to highlight the use of evidence and data to inform public policy changes. The overall theme of the conference was: The state of evidence in decision-making on the continent, specifically highlighting the involvement of Africa's decision-makers. The

During this financial year, some of the activities that had received little or no interventions in the 2020/2021 financial year, received some interventions. Such counties include Nyandarua, Turkana, Isiolo, West Pokot, and Samburu just to mention a few. The data presented herein shall be used to inform coverage of NGECC interventions in the counties during the next financial year.

## CHAPTER THREE

### 3.0 Institutional Capacity

The Commission Commemorated a decade of active promotion of gender equality, inclusion and non-discrimination in Kenya. The commemorations were held on 30<sup>th</sup> August 2021 at Kenya School of Government (KSG), Kabete, Kiambu County. The celebrations marked a decade of active promotion by the NGECE of gender equality, inclusion and non-discrimination in Kenya. The Commemorations involved an array of activities which included; a reflection on the ten (10) year journey in the implementation of our mandate and functions, taking stock of the unfinished business; development of a strategy for comprehensive implementation of the unfinished agenda, appreciation and documentation of the emerging dimensions of exclusion and discrimination, and sharing our vision and strategies for reducing gender inequalities and discrimination among special interest groups in Kenya.

During the commemoration, a total of 80 individuals, counties, and institutions who had made outstanding contributions to promoting gender equality and social inclusion were awarded certificates and commemorative plaques. The determination of the winners followed a rigorous process of identifying winners from various categories. A call for the nomination was shared with county technical working groups, a network of NGECE stakeholders, and through the NGECE website and social platforms.

During the commemorations, the Commission also launched seven publications on various topical issues of equality and inclusion. These reports presented policy recommendations, opportunities and gaps that actors should explore in their efforts towards closing the gender and inclusion gaps. They include:

- i. A Scorecard for the evaluation of progress made by the State in the implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol scorecard)
- ii. Guide for County Government Leadership: Integration of Gender Equality, Inclusion in County Development.
- iii. The 2019 Kenya Population and Housing Census: An Observation Report of the National Gender and Equality Commission: Emerging Issues, Gaps, Good Practices and Recommendations
- iv. Equality and Inclusion of Refugees in Kenya: A Mission to Kakuma Operation Centre and Kalobeyei Integrated Socio-Economic Development Settlement Program in Turkana County
- v. An Introduction of Gender Based Violence in Emergencies (GBVIE).
- vi. The Socialization Agent's Educational aid materials

- vii. Monitoring Tool for Assessing Compliance with Concluding Observations and Recommendations Issued to The Government of Kenya Under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC) and Convention on the Rights of Persons with Disabilities (CRPD): A Color Scheme Score Card



*Dr Joyce Mutinda PhD. EBS chairperson NGEIC with Chief Guest Prof Margarete Kobia PhD, MGH, Ministry of Public Service and Gender, Mr.Eugene Wamalwa the Cabinet Secretary for Ministry of Devolution and ASALs and other guests during the launch of the Commemorations of the 10 years of existence of NGEIC*

### **3.1 Human Resource**

#### **3.1.1 Recruitment**

During the reporting period, the Commission undertook recruitment of a Director of Corporate Services (DCS) as the Head of Corporate Services, Chairperson of the Audit Committee and Member Audit Committee whom all serve in the NGEIC Audit Committee, Programme Officer I serving in the office of the Vice Chairperson and Supply Chain Management Officer I serving in the Supply Chain Management Division.

#### **3.1.2 Training**

A total of twenty-one (21) officers in Senior Management positions underwent a rigorous four (4) weeks Senior Management Course (SMC) at the Kenya School of Government (KSG) Nairobi in the FY 2021 2022. They completed the course and were awarded SMC certificates No. 367/2021.

### 3.1. 3 Progress of the NGENC Staff Pension Scheme

By the end of the period under review (30<sup>th</sup> June 2022), the scheme had a total membership of 92 members and an investment worth Ksh.77.8 million. The scheme successfully registered the Trust Deeds with the Ministry of Lands, held one session of the members' education on investment, and put in place a remuneration policy for the Board of Trustees. The Trustees also attended a three-day course on emerging opportunities for investments. In the next financial year, the scheme intends to invest in the training of the Board of Trustees on good governance, diversified beneficiaries' investment, and pay off all financial claims to beneficiaries as per the request of the affected members.

#### 3.1.4 Induction of NGENC Commissioners

Following the appointment and swearing-in of Commissioner Thomas Okoth K'Oyier and Commissioner Caroline Naikena, the Commission took the two Commissioners through a 3-day induction workshop. The overall objective of the induction programme was to integrate the new members into the Commission and introduce them to the internal systems and procedures. The specific subjects of the induction program included:

- Equality and Inclusion in the context of NGENC Mandate and Functions
- Legal and Policy frameworks on equality and inclusion
- Public Finance and Procurement Management processes
- The NGENC Strategic Plan 2019-2024
- NGENC Strategic Plan 2019-2024 Implementation Matrix



Chairperson Dr. Joyce Mutinda together with the Vice Chair Dr. Chomba, Commissioners Okoth Koyier, Caroline Lentupuru & CEO Betty Sungura during the induction of the new Commissioners.

### **3.2 Supply Chain Management**

In the Financial year 2021-2022, the Commission's total expenditure on the procurement of goods and services was Kshs. 71,255,709.06, out of which Kshs. 18,092,751.00, equivalent to 25.3 percent, was awarded to Youth, Women and Persons with Disabilities.

### **3.3 Public Communications**

#### **3.3.1 NGEC Communication Policy 2022-2024**

During the reporting period, the Commission developed and validated the NGEC Communication Policy 2022-2024. The purpose of this Policy is to ensure that communication across the Commission is consistent, well-coordinated, effectively managed and responsive to the diverse information needs of the public. It is aimed at fostering effective internal and external communication among the Commission staff and other stakeholders. It is expected that the document will enable the Commission to work effectively on not only realizing the Vision and Mission but also the constitutional mandate.

#### **3.3.2 Publications**

In fulfilling the objective of promoting public awareness of principles of equality and inclusion during the reporting period the Commission published the following reports

- a. Annual Report 2019-2020
- b. Annual Report 2020-2021
- c. Child Pregnancies in the context of Covid 19
- d. NGEC at 10 Anniversary Celebrations Report
- e. Report of the Observation of the Enhanced Voter Registration

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

During the year, the ICT Unit developed the Gender-Based Violence Information (GBV) System based on the revised National Monitoring and Evaluation Framework towards prevention and response to Gender Based Violence Framework. The System will enable centralized reporting of GBV by the Health, Police, Judiciary, Education and Prosecution sectors and provide tools for monitoring and evaluation. To enhance remote and virtual employee productivity, the Commission acquired and deployed thirty laptops.

### **3.5 Internal Audit**

The Public Finance Management Act, 2012 Section 73(5) and Public Finance Management Regulation, 2015 section 174(1-10) stipulate that every national government entity shall establish an Audit Committee. Guidelines for Audit Committee

in National and state corporation of Gazette notice no.2690 of 15<sup>th</sup> April 2016 outlines the operationalization of audit committees in the public sector. National Gender and Equality Commission inaugurated its Audit Committee on 30<sup>th</sup> November 2021 whose membership is made up of two independent members, one Commissioner and one National Treasury Representative.

The internal audit unit carried out assignments under the 2021/2022 Internal Audit Annual Work Plan and also special assignments are given from time to time by the Commission Secretary and Chair of the commission.

**The following are the Audit reports that were considered and approved by the Audit Committee for the period 1<sup>st</sup> July 2021 to 30<sup>th</sup> June 2022**

- a) Review of annual reports and financial statements for the year ended 30<sup>th</sup> June 2021
- b) Review of quarter four financial statements April to June 2021
- c) Review of pending bills as of 30<sup>th</sup> June 2021
- d) Audit of minority and marginalized division
- e) Audit of four regional offices (Kisumu, Nakuru, Malindi and Kitui)
- f) Review of first quarter financial statements period July to September 2021
- g) Review of second quarter financial statements period October to December 2021
- h) Review of third quarter financial statements period January to March 2022
- i) Review of monitoring and evaluation division period July 2020 to June 2021
- j) Developed risk-based Audit annual work plan period 2022/2023
- k) Audit of supply chain management division period July 2020 to June 2021
- l) Audit of finance, planning and accounts activities period July 2020 to June 2021
- m) Review of the Youth and children division covering the period July 2020 to June 2021
- n) Audit of payroll from May to October 2021

## CHAPTER FOUR

### 4.0 Audited Report and Financial Statements

The approved budget for the Financial Year 2021/2022 was Kshs.449.9 million, with Ksh. 439.8 million allocated for recurrent expenses and Ksh. 10.1 million from development partners. The Commission was able to absorb 96% of the budget, with total expenditures amounting to Ksh. 432.4 million.

The clean audit report received by the Commission for the financial year 2021/2022 and the last three consecutive years is a positive sign of the Commission's financial management and accountability. The Financial Statements and Report of the Auditor General provide a comprehensive overview of the Commission's financial performance for the year and allow stakeholders to assess the Commission's financial performance and make informed decisions.

The Financial Statements include the Statement of Financial Position, Receipts and Payments, Statement of Cash flows, and Statement of Comparison of Budget and Actual, which provide a detailed view of the Commission's assets, liabilities, revenue, expenses, and net worth. The Report of the Auditor General provides an independent assessment of the Commission's financial reporting and assures that the Financial Statements are accurate and free of material misstatements.

The Commission's strong financial performance and clean audit report for the Financial Year 2021/2022 demonstrate its commitment to responsible financial management and transparency.

REPUBLIC OF KENYA



**REPORT**

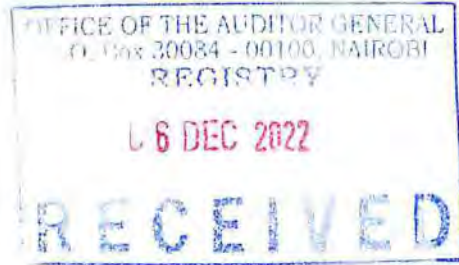
**OF**

**THE AUDITOR-GENERAL**

**ON**

**NATIONAL GENDER AND EQUALITY  
COMMISSION**

**FOR THE YEAR ENDED  
30 JUNE, 2022**



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**NATIONAL GENDER AND EQUALITY COMMISSION**

**ANNUAL REPORT AND FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED**

**JUNE 30, 2022**

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

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## 1. KEY INFORMATION AND MANAGEMENT

### 1.1 Background information

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

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

#### 1.1.1 Vision

A society free from gender inequality and all forms of discrimination.

#### 1.1.2 Mission

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

#### 1.1.3 Core Values

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

#### 1.1.4 Functions

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

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

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

of its obligation under this Act;

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

**1.2 Key Management**

The National Gender and Equality Commission’s day-to-day management is under the following persons:

- i) Betty Sungura, **MBS** - Commission Secretary/CEO
- ii) Dr. John Njeru Njagi, PhD – Director of Corporate Services (from December 2021)
- iii) Paul Kihugu Kuria – Director; Programmes and Research
- iv) Joseph Muthama Ndiku - Assistant Director; Finance and Planning
- v) Winfred Mutindi Wambua – Assistant Director; Programmes
- vi) Wilson Desire Njamwea - Assistant Director; Legal, Complaints, Investigation and Redress
- vii) Vicky Ocharo – Principal Human Resource Management Officer (up to May 2022)
- viii) Goretty Ndeda Osur – Ag. Assistant Director Regional Coordination (from May 2022)
- ix) Fredrick Lumiti- Ag. Assistant Director Research Monitoring and Evaluation & Documentation (from May 2022)
- x) Mathew Kioko Musau – Principal Supply Chain Management Officer
- xi) John Kamau Munene – Principal ICT Officer
- xii) Monicah Oyugi- Ag. Principal Human Resource Management officer (from June 2022)

**1.3 Fiduciary Management**

The key management personnel who held office during the financial year ended 30<sup>th</sup> June 2022 and who had direct fiduciary responsibility were:

No.	Designation	Name
1	Commission Secretary/CEO/Accounting Officer	Betty Sungura, <b>MBS</b>
2	Director of Corporate Services (from December 2021)	Dr. John Njeru Njagi, Phd
3	Director Programs and Research	Paul Kihugu Kuria

No.	Designation	Name
1	Commission Secretary/CEO/Accounting Officer	Betty Sungura, <b>MBS</b>
4	Assistant Director, Finance and Planning	Joseph Muthama Ndiku
5	Assistant Director programmes	Winfred Mutindi Wambua
6	Assistant Director, Legal, Complaints, investigation and Redress	Wilson Desire Njamwea
7	Ag. Assistant Director Regional Coordination (from May 2022)	Goretty Ndeda Osur
8	Ag. Assistant Director Research, Monitoring and Evaluation (from May 2022)	Fredrick Kereri Lumiti
9	Principal Human Resource Management Officer (up to May 2022)	Vicky Ocharo
10	Principal Supply Chain Management Officer	Mathew Kioko Musau
11	Ag. Principal Human Resource Management officer (from June 2022)	Monicah Oyugi

#### **1.4 Fiduciary Oversight Arrangements**

##### **i) Audit committee**

Committee members:

- a) Lucy Wanjiru Kabaya – Chairperson
- b) Commission Vice Chairperson: Dr. Joel Chomba Munyi, **MBS** - Member
- c) Esther Ngeru – Member
- d) Amos Kitavi Kivite – Member
- e) Jackline Kwamboka Kanisa – Senior Internal Auditor, Secretary

The above Audit Committee was appointed during the second quarter of the Financial Year 2021/22. The Committee is responsible for strengthening the effectiveness of the Internal Audit function including regular review of its capacity, approval of the Internal Audit Charter and Internal Audit Annual Work Plan.

##### **ii) Advisory Team**

###### **Members at the Policy level**

No.	Designation	Name
1	Chairperson	Dr Joyce M. Mutinda, PhD, <b>EBS</b>
2	Vice Chairperson	Dr. Joel Chomba Munyi, PhD, <b>MBS</b>
3	Commissioner	Priscilla Nyokabi Kanyua, <b>EBS</b> (upto February 2022)
4	Commissioner	Caroline Naikena Lentupuru, <b>HSC</b>
5	Commissioner	Thomas Okoth Koyier

##### **iii) Senior Management Committee**

- o Betty Sungura, **MBS** - Commission Secretary/CEO

- review human resource policies and make recommendations
- consider and approve staff training requests
- review staff needs and welfare.

### **1.5 Commission Headquarters**

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

#### **Contacts**

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

### **1.5 Commission Bankers**

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

### **1.6 Independent Auditors**

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

### **1.7 Principal Legal Adviser**

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

### 1.8 The Commission



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



**Dr. Joel Murithi Chomba, PhD, MBS**  
Vice Commission Chairperson



**Caroline Naikena Lentupuru, HSC**  
Commissioner



**Thomas Okoth Koyier**  
Commissioner



**Hon. Priscilla Nyokabi, EBS**  
Commissioner  
(upto February 2022)



**Betty Sungura, MBS**  
Commission Secretary/CEO

- Dr. John Njeru Njagi, PhD – Director; Corporate Services (from December 2021)
- Paul Kihugu Kuria – Director; Programmes and Research
- Joseph Muthama Ndiku - Assistant Director; Finance and Planning
- Winfred Mutindi Wambua – Assistant Director; Programmes
- Wilson Desire Njamwea - Assistant Director; Legal, Complaints, Investigation and Redress
- Vicky Ocharo – Principal Human Resource Management Officer (up to May 2022)
- Goretty Ndeda Osur – Ag. Assistant Director Regional Coordination (from May 2022)
- Fredrick Lumiti- Ag. Assistant Director Research Monitoring and Evaluation & Documentation (from May 2022)
- Mathew Kioko Musau – Principal Supply Chain Management Officer
- Monicah Oyugi- Ag. Principal Human Resource Management officer (from June 2022)

The main roles played by the Management include:

- review and consider the cash flow plans for recommendation to the Commission.
- review the utilization of the cash limits and consider any changes as may be required;
- review the utilization of the donor funds voted for by the Commission.
- advice the Accounting Officer on the challenges related to the budget implementation
- review and approve the submission of the expenditure returns, payroll IPPDs, pending bills
- review budgets, supplementary estimates and performance of budget against actual for the Commission in consultation with the Heads of Department.
- reviewing and making recommendations on management programs established to monitor compliance with sound public financial management, internal controls, policies, laws, regulations, procedures and the code of ethics.

#### **iv) Human Resource and Advisory Committee**

The members who served on the Committee were:

- (i) Paul Kihugu Kuria Director; Programmes and Research (Chairperson)
- (ii) Joseph Muthama Ndiku - Assistant Director; Finance and Planning
- (iii) Winfred Mutindi Wambua – Assistant Director; Programmes
- (iv) Wilson Desire Njamwea - Assistant Director; Legal, complaints, investigation and redress
- (v) Vicky Ocharo – Principal Human Resource Management Officer (Secretary)(up to May 2022)
- (vi) Monicah Oyugi- Ag. Principal Human Resource Management Officer (Secretary) (From June 2022)

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

- review training plans and reports.
- adjudicate disciplinary matters and make recommendations.

## THE COMMISSION



Dr. Joyce Mwikali Mutinda,  
PhD, EBS

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

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

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

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



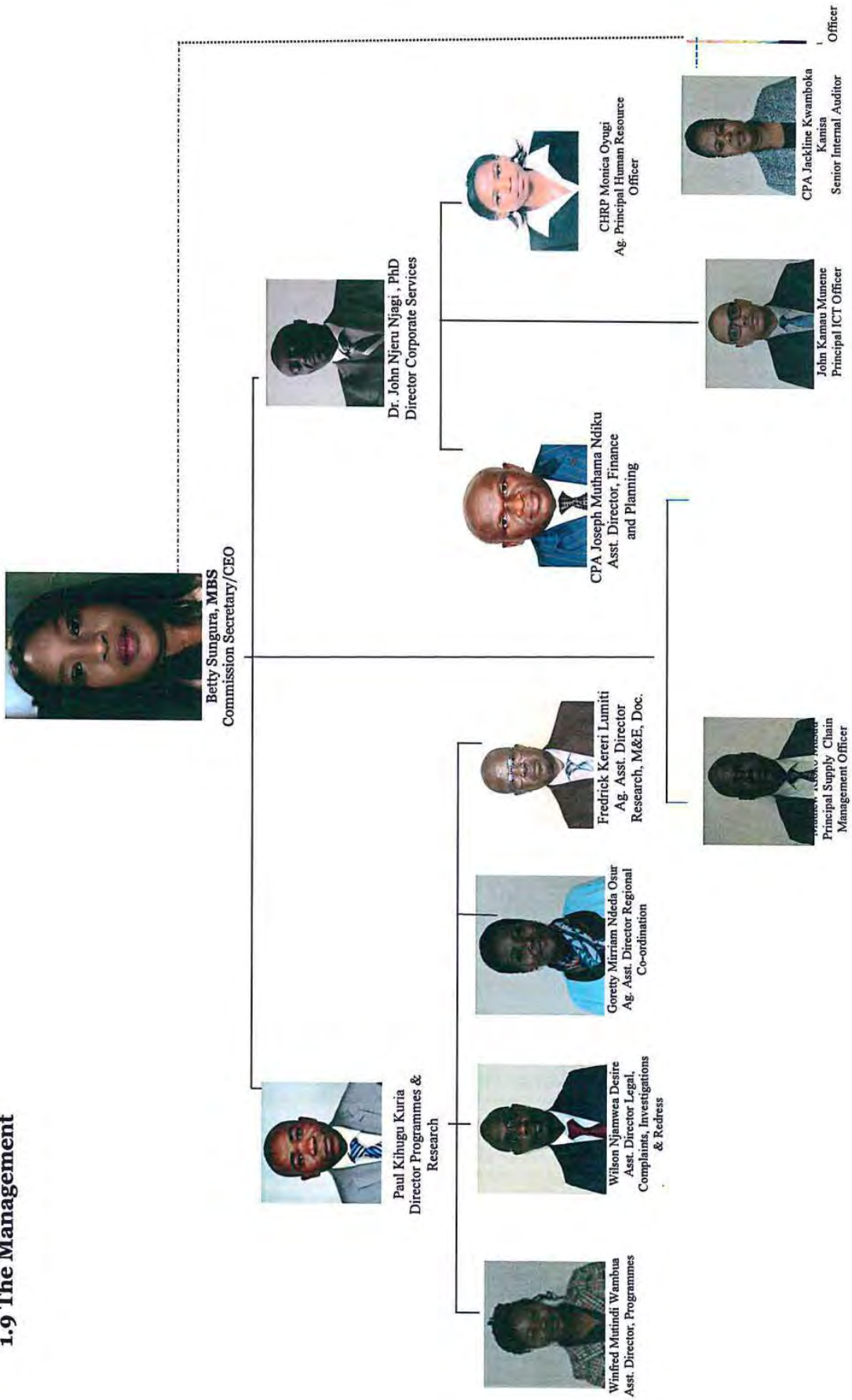
Dr. Joel Murithi Chomba,  
PhD, MBS  
Vice Commission Chairperson

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

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

before his appointment Dr. Chomba worked as a Senior Lecturer at Kenyatta University in

1.9 The Management



the Special Needs Education Department, as Managing Director at Disability Awareness and Development (FAMDAD) Management Consultancy and as an Executive Director at the African Union of the Blind (AFUB).



Thomas Okoth Koyier  
Commissioner

Thomas Okoth Koyier is currently serving as a Commissioner having been appointed by His Excellency the President as a Member of the National Gender and Equality Commission (NGEC) on 22<sup>nd</sup> December 2021 as per the Kenya Gazette Notice No 14017m dated 21<sup>st</sup> December 2021. Commissioner Thomas Okoth Koyier holds a Master's Degree in Business Administration from Southern Oregon University, Ashland, Oregon, U.S.A and a bachelor's Degree from Central Washington University in Ellensburg, U.S.A . He has served as a Banker in the Financial Sector in the U.S.A. and Kenya as well as a Member of the Insurance Appeals Tribunal from the year 2019 to 2021 with the Insurance Regulatory Authority under the Ministry of Finance. He has also served as a Board Member for Biblia Sacco, Head of Commerce Department at Daystar University and a Member of the University Council representing Senior Staff at the University. Before his appointment Commissioner Koyier was a Lecturer at the School of Business and Economics at Daystar University



Caroline Naikena  
Lentupuri, HSC  
Commissioner

Commissioner Caroline was appointed on December 21, 2021, and sworn in on Wednesday, December 22, 2021. She holds a Master of Arts Degree in International Development and Social Change from Clark University, USA and a Bachelor of Education (Arts) degree from Moi University. Before her appointment, Commissioner Caroline was the Director of Governance Affairs at the Intergovernmental Relations Technical Committee. She also served as County Executive Committee Member, Baringo County Government. She has also been a Gender Resource Specialist/Consultant. She has participated in various works of charity and proposal writing in aid of the less privileged in society.



Hon. Priscilla Nyokabi, EBS  
Commissioner (upto  
February 2022)

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

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During her stint in Parliament Hon. Nyokabi championed issues of women, human rights and development.

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



Betty Sungura, MBS  
Commission  
Secretary/CEO

Ms. Betty Sungura, **MBS**, is the Commission Secretary and Chief Executive Officer of the National Gender and Equality Commission (NGEC). An accomplished scholar, Advocate of the High Court of Kenya and an active member of the Law Society of Kenya, Betty holds a Bachelor of Laws (LLB) and Master in Laws (LLM) in International Trade & Investment Law, both from the University of Nairobi.

Betty has served at the Independent Electoral and Boundaries Commission (IEBC) in the Chief Executive portfolio both as Acting CEO and Deputy CEO capacities. She had previously served as the CEO of the Law Society of Kenya. She has served as Legal Counsel at FIDA- Kenya. In her legal career and governance leadership stint, she has interacted widely with the legal profession at the bar, bench, and private and public sector as well as at local, regional and international levels including the East African Court of Justice (EACJ) and the EAC.

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

She has worked with Plan Nederlands International in Amsterdam defending child rights and is currently serving as a member of the Law Society of Kenya Mentorship Board/Committee. She is a Commissioner of Oaths and a Notary Public, both conferred by the Judiciary in Kenya.




Dr. John Njeru Njagi ,  
PhD  
Director Corporate  
Services

Dr. Njagi is a financial management specialist with experience spanning more than twenty (20) years out of which more than ten (10) years have been spent in senior management positions. He started his career as an external auditor with the office of Auditor General (corporations) with the responsibilities of overseeing financial management and procurement systems of various corporations in the Government of Kenya.

He was part of the team that undertook public financial management reforms in local governments focusing on the modelling of financial management systems of various local authorities in Kenya. With the enactment of the Water Act 2002, Njagi took a leading role in the commercialization of water services in Kenya as a corporate management team member in one of the leading water service providers in Kenya (Ewasco). The commercialization of water services brought sweeping changes in the management of water services in Kenya and has been hailed as one of the best practices models in public service delivery initiated by the NARC government.

Later on in his career, he joined a World Bank project

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	<p>STATCAP, which was financing statistical modelling of data in the key sectors of the Kenyan economy. He also undertook assignments in the policy planning aspects in the management country's population for sustainable development.</p> <p>After the promulgation of the Constitution of Kenya in 2010, Njagi took a challenge in the management of the devolved units in the areas of resource mobilization and economic planning of various sectors of the devolved units. Njagi has been very instrumental in setting structures for devolved units to build elaborate capacity in the provision of effective and efficient services to the local communities being served by devolved units</p> <p>He holds a PhD in Finance, Master of Business Administration and Bachelor's Degree from the University of Nairobi and is a Certified Public Accountant (CPA(K)) and a Certified Public Secretary (CPS(K)).</p>
 <p>Paul Kihugu Kuria Director Programmes &amp; Research</p>	<p>Mr. Paul Kuria was appointed to the position of Director of Programs and Research in March 2019.</p> <p>He holds a bachelor's degree in Anthropology and a master's degree in Anthropology both from the University of Nairobi, Kenya.</p> <p>He is responsible for the design of programmatic interventions and strategic research activities essential for the fulfilment of the Commission's core mandate and functions.</p> <p>Before the appointment, Mr. Kuria served in the management of NGEK (2013 and 2017) as Ag. Commission Secretary/CEO</p> <p>In 2018, Mr. Kuria was the technical advisor of the Gender Committee, Council of Governors where he directed UNWOMEN-supported programs.</p> <p>Mr. Kuria is the former Kenya Country Manager of Bill and Melinda Gates Kenya Urban Reproductive Health Program and former Project Manager of the David and Lucile Packard Foundation Western Kenya Reproductive Health Project.</p>

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Goretty Mirriam Ndenda  
Osur  
Ag. Assistant Director  
Regional Co-ordination  
(From May 2022)

Goretty Osur was promoted as the Ag. Assistant Director Regional Co-ordination in May 2022. Her duties entail; the provision of advice on matters relating to gender equality and freedom from discrimination, coordination of public education programmes for the creation of a culture of respect for principles of equality and freedom from discrimination and coordinating programme activities at the regional levels, Development of strategic partnerships and coordination with relevant stakeholders on matters of SIGs; collaborations and resource mobilization for the regions and monitoring and advocating for compliance with constitutional provisions, national laws, regional and international conventions and treaties relating to gender equality and freedom from discrimination and implementing strategies in the Commission's Strategic Plan relating to special interest groups on mainstreaming, monitoring and development of affirmative action policies in National and County governments in the public and private sector.

She holds a Master of Arts in Sociology from, the University of Nairobi, a Diploma in Human Resource Management from the Kenya Institute of Management and a Bachelor of Arts in Sociology and Public Administration, University of Nairobi.



Fredrick Kereri Lumiti  
Ag. Assistant Director  
Research, Documentation,  
Monitoring and Evaluation  
(From May 2022)

Fredrick Lumiti was promoted as the Ag. Assistant Director, Research & Documentation Monitoring and Evaluation Department, in May 2022. His duties entail; facilitating, Coordination and conduction of research on matters relating to equality and freedom from discrimination and affecting special interest groups (SIGs), mainstreaming issues of gender in Ministries Departments and Agencies MDA's, development and implementation of policies, procedures and systems to guide research on emerging issues within the special interest groups; developing monitoring and evaluation frameworks with indicators on equality and inclusion issues and maintain databases on issues related to equality and freedom from discrimination for different SIGs; ensure learning, and documentation of data on equality and inclusion, the establishment of linkages and coordination with key stakeholders and partners for effective programming on issues of equality and inclusion and preparation of periodic /statutory reports for reporting on the progress made in the realization of equality and freedom from discrimination for special interest groups.

He has vast experience spanning over fifteen years in monitoring and evaluation, project planning and management and working in humanitarian and development work environments. He holds a Master's degree in Project Planning and Management (2014), a post-graduate Diploma in Gender and Development (2004) and a Bachelor of Arts degree in Government and History (1990), all from the University of Nairobi.

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 <p><b>CHRP Monicah Oyugi</b> Ag. Principal Human Resource Management Officer (From June 2022)</p>	<p>Ms. Monicah Oyugi Acting Principal Human Resource Management Officer was appointed to the Commission as a Senior Human Resource Management Officer on 9<sup>th</sup> April 2021. She heads the Human Resource Department where she is charged with formulating, reviewing and coordinating all matters HR.</p> <p>She is a qualified HR Practitioner with vast experience in the public sector and holds a Master in Business Administration in Strategic Management from African Nazarene University, a Bachelor of Human Resource Management from the Open University of Tanzania (OUT), a Higher Diploma in Human Resource Management, Advanced Diploma in Business English from Business Training School Manchester UK. She is a CHRP (K) and a Full Member of the Institute of Human Resource Management. She is a Certified Professional Mediator (CPM) from the Institute of Dispute and Conflict Resolution International She has held various positions in the Public Sector/Government Institutions.</p>
 <p><b>John Kamau Munene</b> Principal ICT Officer</p>	<p>Mr. John Munene joined the Commission in 2012. He is responsible for ensuring the Commission achieves optimal effectiveness and efficiency through the deployment of cutting-edge technology and innovation.</p> <p>He holds a Master's Degree in Information Systems from the University of Nairobi and a degree in Information Technology from Moi University.</p> <p>He is a Certified Information Systems Auditor, Certified Information Security Manager and a Certified Cisco Network Associate among other qualifications.</p> <p>He is a member of the Certified Information Systems Audit and Control Association (ISACA) and the Computer Society of Kenya.</p>
 <p><b>Jackline Kwamboka Kanisa</b> Senior Internal Auditor</p>	<p>Mrs. Jackline Kwamboka Kanisa assumed the position of Senior Internal Auditor on 24<sup>th</sup> June 2019. She is in charge of the Internal Audit Division which provides an objective appraisal of the financial and operational activities of the Commission.</p> <p>She holds a Masters in Strategic Management from Kenyatta University and a bachelor's degree in Commerce (Finance option) from the Catholic University of Eastern Africa, a Certified Public Accountant, and an active Member of the Institute of Certified Public Accountants of Kenya (ICPAK) and a member of Certified Information Systems Audit and Control Association (ISACA).</p>

National Gender and Equality Commission  
Annual Report and Financial Statements for the year ended 30th June, 2022

 <p>CPA Joseph Muthama Ndiku Assistant. Director, Finance and Planning</p>	<p>CPA Joseph Ndiku was appointed to the position of Assistant Director, Finance and Planning on 7<sup>th</sup> July 2019. He holds a Master of Business Administration (MBA - Finance), Bachelor of Business and Management (Accounting Option) both from Egerton University. He is a Certified Public Accountant of Kenya (CPAK), Certified Information Systems Auditor (CISA), Certified Public Secretary (CPS) and a holder of a Diploma in Information Technology from Jomo Kenyatta University of Agriculture and Technology. He is a member of the Institute of Certified Public Accountants (ICPAK) and Institute of Public Secretaries (ICS)</p> <p>He is in charge of the Finance and Planning Department which is mandated with the development and maintenance of effective financial management and control systems; coordination of budgeting processes and financial reporting.</p> <p>He has over 18 years' working experience having previously served in various positions in the Universities, including Chief Officer, Finance and Socio-Economic Planning, Makueni County Government, and Finance and Accounting Manager at Higher Education Loans Board (HELB).</p>
 <p>Winfred Mutindi Wambua Assistant Director, Programmes</p>	<p>Ms. Winfred Wambua was appointed the Assistant Director of Programmes on 10<sup>th</sup> August 2018. She holds a Master of Arts in Development studies and a Bachelor of Arts degree in Anthropology (first class honours) from the University of Nairobi.</p> <p>In her role, she is responsible for the design, development and execution of the programmatic interventions that promote equality and inclusion of special interest groups.</p> <p>Before her appointment Ms. Winfred served as a Chief Officer in charge of Gender, Youth, Sports and social services in Makueni County.</p>
 <p>Wilson Njamwea Desire Assistant Director Legal, Complaints, Investigations &amp; and Redress</p>	<p>Desire Njamwea was appointed the Assistant Director of Legal, Complaints, Investigations and Redress on 10<sup>th</sup> August 2018. He holds a Master of Laws in International Human Rights and HIV in Africa from the University of Pretoria, Bachelor of Law from Moi University, Kenya and a Diploma in Law</p> <p>He is in charge of designing and reviewing the Commission's mechanism for receiving and processing complaints of violations of principles of equality and freedom from discrimination; designing and facilitating mechanisms for formal hearings and inquiries; establishing joint referral mechanisms for complaints with Article 59 Commissions; ensuring compliance by the Commission on its legal mandates; reviewing laws, policies and administrative regulations to ensure integration of principles of equality and freedom from discrimination.</p>

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 <p>Mathew Kioko Musau Principal Procurement Officer</p>	<p>Mr. Mathew Musau was employed as the Senior procurement Officer on 1<sup>st</sup> September 2014. He holds a Master's degree in Procurement and Logistics from JKUAT, a Bachelor of Commerce Degree in Business Management/ Marketing from Daystar University, a Graduate Diploma in Procurement from the Chartered Institute of Procurement and Supply (CIPS) and a certificate in Strategic Management and Leadership from the Kenya Institute of Management (KIM).</p> <p>Before this employment, Mathew was the Senior Procurement Officer at KenGen.</p> <p>He is responsible for managing the procurement function of the Commission and providing technical advice to the Management.</p>
 <p>Daniel Waitere Waweru Senior Public Communications Officer</p>	<p>Mr. Daniel Waitere is the Senior Public Communications Officer at the National Gender and Equality Commission (NGEC) having joined the Commission in 2012. Mr. Waitere holds a Bachelor of Arts degree in Communications from Daystar University and is an accredited journalist by the Media Council of Kenya. He is responsible for designing and implementing communication strategies, messaging, facilitating stakeholder engagement, ensuring standards and quality control of all below and above the line IEC collaterals and publications and profiling NGEC as the default reference institution on all matters equality and inclusion.</p> <p>He is responsible for the articulation and exposition of the Commission's policies through public education and media coverage of the Commission's activities in both emerging and traditional print and electronic media. Previously, Mr. Waitere worked as a News Editor with Kenya Broadcasting Corporation.</p>

## 2. STATEMENT BY THE CHAIRPERSON

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

I am pleased to present the National Gender and Equality Commission's (NGEC) 2021/2022 Annual Report and Financial Statements. During the year under review, Commission's approved budget was Kshs. 449.9 million compared to Kshs 374.9 million in the financial year 2020/2021.

The Commission is proud to have contributed to the development of the Kenya Country Position Paper to the Sixty-Sixth Session of the Commission on the Status of Women (CSW66). The priority theme was *"achieving gender equality and empowerment of all women and girls in the context of climate change, environment and disaster risk reduction policies and programmes."* Further, the Commission contributed to the preparation of the Country report for the Conference of State Parties on the status of Implementation of the Convention on Rights of Persons with Disabilities (CRPD).

In monitoring compliance with constitutional and statutory requirements for integrating the principles of equality and inclusion, the Commission receives, collates, analyzes and prepares annual progress reports on the implementation of constitutional and statutory requirements on the principles of equality and freedom from discrimination from Ministries, Departments and Agencies (MDAs). During the period under review, the Commission issued 308 certificates of compliance to MDAs for the financial year 2020-2021. Further, the Commission facilitated the review of the Gender mainstreaming reporting tools and measuring indicators based on the 18<sup>th</sup> cycle of performance contracting. The Department in collaboration with State Department for Gender facilitated the training of 400 MDAs on the revised gender mainstreaming reporting tool. During the period under review, the Commission received 355 compliance reports from MDAs signifying a 13.2% increase.

The Commission also facilitated and contributed to the launch of a UNWomen project entitled "Enhancing Women's Participation in Political Leadership and Decision Making". The project is a three-year project targeting 7 Counties and aims at increasing the participation and representation of women in political leadership and decision-making in Kenya. In conjunction with other stakeholders, the Commission participated in consultative forums with political parties, DPOs, CSOs and various state actors in tracking progress made by electoral stakeholders in championing PWD participation in the political process as well as provide insights into strides made by the mentioned state actors in the realization of PWD inclusion in political processes. The Commission also monitored the two phases of the enhanced Voter Registration process between November 2021 and February 2022. The Commission made observations in 33 counties. The exercise sought to document the extent

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of integration of principles of equality and inclusion of SIGs in mass voter registration and document levels of participation of SIGs in the activity. The report of the exercise was shared with Independent Electoral and Boundaries Commission (IEBC) on 30th June 2022. Further, the Commission through the regional offices monitored the 2022 election campaign rallies with a specific focus on the levels of integration of the principles of gender equality and inclusion. The assessment documented incidences of Gender Based Violence campaigns in A total of 204 campaigns that were monitored in Kisumu, Nakuru, Garissa, Isiolo, Kitui and Malindi between 13th June and 30th June 2022.

The Commission Commemorated a decade of active promotion of gender equality, inclusion and non-discrimination in Kenya. The Commemorations involved an array of activities which included a reflection on the ten (10) year journey and strategizing towards the future, equality and inclusion awards to individuals, institutions and Counties championing gender equality and inclusion and the launch of key NGEK publications. A total of 80 individuals, institutions and counties were feted for their efforts towards promoting gender equality and inclusion in Kenya.

During the period under review, the Commission received eighty seven (87) complaints on the violations of the principle of equality and freedom from discrimination for the SIGs. The complaints were referred to the relevant institutions for redress.

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



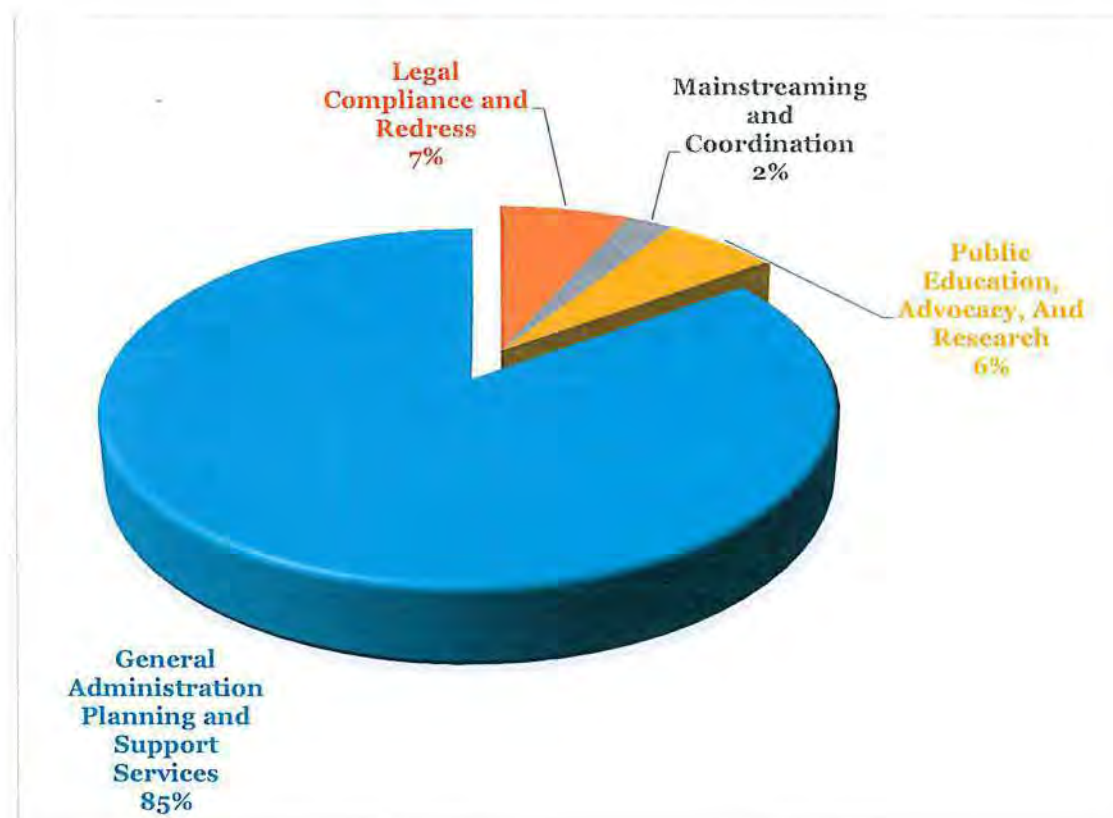
**DR. JOYCE B.M. MUTINDA, PhD, EBS  
CHAIRPERSON**

### 3. STATEMENT BY THE ACCOUNTING OFFICER/CEO

In the 2021/22 Financial Year, the Commission's Recurrent vote printed estimates was Kshs.449.8 million. The approved estimate was Kshs. 449.8 million. The actual expenditure was Kshs.432.3 million translating to 96% budget absorption.

#### Budget Allocation

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



- i) **Legal Compliance and Redress:** The objective of the sub-programme is to monitor, facilitate and advise on the integration of the principles of equality, and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions. It also includes investigations and redress for violations of principles of equality and inclusion as envisaged under articles 27 and 43 of the Constitution. It was allocated Kshs. 29,218,415 representing 7% of the budget.

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- ii) **Mainstreaming and Co-ordination:** The objective is to co-ordinate and facilitate mainstreaming of issues of gender, persons with disabilities and other marginalised groups in national development programs and actions. It also advises the Government and facilitates the implementation of affirmative actions and programs. It was allocated Kshs. 10,424,281 representing 2% of the budget.
- iii) **Public Education, Advocacy and Research:** The main objective is to co-ordinate and advice on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination, conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution of Kenya, 2010. It was allocated Kshs. 16,079,160 representing 6% of the budget.
- iv) **General Administration and Support Services:** the objective is to strengthen the institution's capacity to deliver on its mandate. It was allocated Kshs. 376,781,727 representing 85 % of the budget. This includes salaries which have the highest budget allocation.

**Key Performance Highlights:  
Financial Performance Summary**

Approved Budget Allocation	Actual Expenditure	Difference in Utilisation	Percentage Absorption
449,893,581.00	432,503,584.00	17,389,996.00	96%

The Commission spent **Kshs. 432,503,584** against an approved budget of **Kshs. 449,893,581** representing absorption of **96%**. The utilisation of the budget was carried out through various activities (economic classifications) as shown in the graph below:

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### Payments:

The total payments for the FY 2021/22 were Kshs. **432,377,398** representing a 22% increase compared to Kshs. **353,307,832** spent in the FY 2020/21.

The payments for FY 2021/22 were as follows: -

Description	Payments	
	2021/22	2020/21
Compensation of Employees	237,064,008.00	222,192,633
Use of goods and services	167,601,465.60	120,734,762
Social Security Benefits	7,500,000.00	7,000,000
Acquisition of Assets	20,211,923.00	3,380,429
<b>Total Payments</b>	<b>432,377,396.60</b>	<b>353,307,823</b>



Betty Sungura, MBS  
COMMISSION SECRETARY/CEO

#### 4. STATEMENT OF PERFORMANCE AGAINST PREDETERMINED

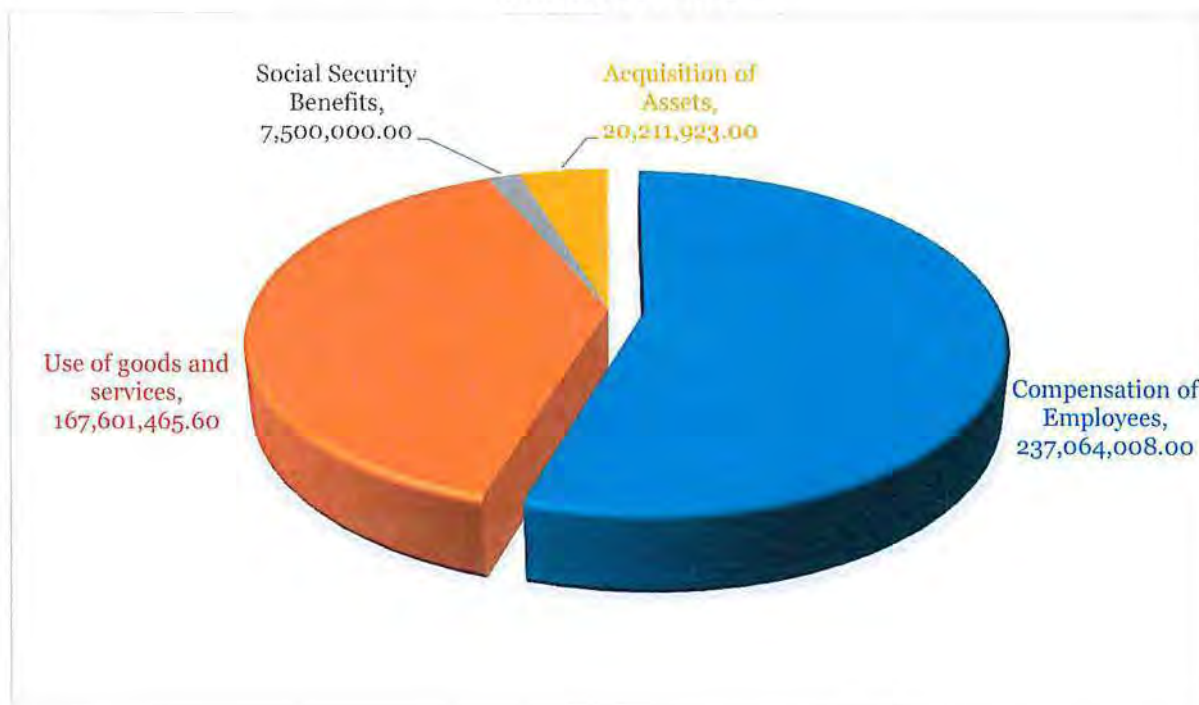
##### OBJECTIVES FOR FY2021/22

During the period under review and based on the set strategic objectives, the Commission achieved the following:

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

- 1.1 Facilitated development of the Kenya Country Position Paper to the Sixty-Sixth Session of the Commission on the Status of Women (CSW66). The priority theme was *“achieving gender equality and empowerment of all women and girls in the context of climate change, environment and disaster risk reduction policies and programmes.”* The Commission also participated in and facilitated planning meetings for the 66<sup>th</sup> CSW which was hosted from 14<sup>th</sup>-25<sup>th</sup> March 2022.
  
- 1.2 Facilitated the preparation of the Country Position Paper for the 12th session of the Open-Ended Working Group on Ageing (OEWGA). The working group considers the existing international framework of the human rights of older persons and identifies possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures. The 12th session of the OEWGA took place from 11th -14th April 2022 in New York with a focus on the contribution of older persons to *‘sustainable development’* and *‘economic security’*. The session discussed the normative inputs to the 11<sup>th</sup> session on the *‘right to work and access to the labour market’* and *‘access to justice’*.
  
- 1.3 Facilitated preparation of the Country report for the Conference of State Parties (COP) on the status of Implementation of the Convention on Rights of Persons with Disabilities (CRPD). The overarching theme was: *Building disability-inclusive and participatory societies in the COVID context and beyond*, while the sub-themes were on; Innovation and technology advancing disability rights, Economic empowerment and entrepreneurship of persons with disabilities and participation of persons with disabilities in climate action, disaster risk reduction, and resilience against natural disasters. The country position paper was presented during the 15<sup>th</sup> Session of the COP to the CRPD, held at United Nations Headquarters, New York, from 14 to 16 June 2022. NGENC facilitated Kenya in its submission and deliberation on the progress made in the implementation of the CRPD. Further, the Commission participated in the review of the de-institutionalization of guidelines for Persons with Disabilities as proposed by the Committee on the Rights of Persons with Disabilities. This is in line with Article 19 of the CRPD which requires states to ensure that PWDs have an equal choice to live independently in the community and that they have access to quality and affordable support services and assistive devices.

**EXPENDITURE**



It should be noted that 38.7% of budget allocation for the Commission was used for procurement of goods/services and operations, 54.8% for personnel emoluments, 1.7% for gratuity and 4.6% for the acquisition of assets.

Comparing the current financial year to FY 2020/21, the absorption level increased from 94% to 96% in FY 2021/22

**Receipts**

The Commission receipts mainly comprise exchequer releases from the National Treasury. During the financial year 2021/ 22, the Commission received a total of Kshs. 432,378,070 relating to exchequer releases from National Treasury. There were no receipts from development partners. This is an increase of 22% of total receipts compared to Kshs. 353,439,700 received in FY 2010/21.

- 1.4 As a technical member of the Inter-Agency Coordination Committee (IACC) tasked with ensuring state and non-state actors monitor the implementation of the Global Disability Summit commitments (GDS), the Commission facilitated consultative meetings on the inclusive Data Charter. The IACC is a unique multi-stakeholder initiative working to advance inclusive data for Persons with Disabilities (PWDs) in Kenya in response to Convention on Rights of Persons with Disabilities (CRPD) CRPD. Article 31 of the CRPD requires States Parties to collect appropriate information, statistical and research-driven data, to enable them to formulate and implement policies based on evidence
- 1.5 Between June 6 and June 16, the Commission participated in the planning and delivery of the 56th session of the United Nations Framework Convention on Climate Change (UNFCCC) Subsidiary Body for Implementation (SBI), and Subsidiary Body for Scientific and Technological Advice (SBSTA). The meetings were held in Bonn, Germany. The Commission's main focus was on gender equality and inclusion in the climate change adaptations and mitigations with a focus on financing and implementation of the UNFCCC gender action plan. The lessons and key recommendations will be used to inform the content of the 27th Conference of Parties (COP 27), scheduled to take place in November 2022 in Egypt.
- 1.6 Participated and facilitated the National Council for Children Services (NCCS) in the drafting of the 6<sup>th</sup> and 7<sup>th</sup> State reports on the Convention on the Rights of the Child (UNCRC). The report responded to the concluding observations raised by the Committee of Experts on the CRC.
- 1.7 Facilitated and provided feedback during the validation workshop of the implementation plan of the overall concluding observations on Kenya's 4<sup>th</sup> Periodic Report under the International Covenant on Civil and Political Rights.
- 1.8 Facilitated the processes of ratification by Kenya of the protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons and Rights of PWDs in Africa. The protocols seek to promote, protect and ensure full and equal enjoyment of all human and people's rights by older persons and persons with disability. These protocols complement existing domestic legal and policy efforts and seek to address existing gaps in these laws.
- 1.9 Participated in a validation of Kenya's Africa Peer Review Mechanism (APRM) targeted Review Report on the BIG 4 agenda and the National Governance report organized by the New Partnership for Africa's Development (NEPAD)/Africa Peer Review Mechanism (APRM) Kenya Secretariat.

- 1.10 In monitoring compliance with constitutional and statutory requirements for integrating the principles of equality and inclusion, the Commission receives, collates, analyzes and prepares annual progress reports on the implementation of the principles of gender equality and freedom from discrimination from Ministries, Departments and Agencies (MDAs). During the period under review, the Commission issued 308 certificates of compliance to MDAs for the financial year 2020/2021. Further, the Commission facilitated the review of the Gender Mainstreaming reporting tools and measuring indicators based on the 18<sup>th</sup> cycle of performance contracting, and prepared indicators for assessing gender mainstreaming levels in the 19<sup>th</sup> cycle for the financial year 2022/2023. In collaboration with State Department for Gender, the Commission facilitated the training of 400 MDAs on the revised gender mainstreaming reporting tool. In the financial year 2021/2022, the Commission reviewed 355 compliance reports from MDAs signifying a 15.3% increase compared to reports received in the 2020/21 financial year.
- 1.11 To ensure compliance with the principles of equality and inclusion in the workplace, the Commission facilitated Sixty-two (62) Government Ministries, Departments and Agencies (MDAs) to align their workplace policies, action plans, and activities to basic requirements of gender mainstreaming. The MDAs were also trained in programming on gender equality and inclusion in the workplace. The training sessions are geared towards ensuring compliance with the constitutional and institutional requirements on gender equality and freedom from discrimination. The institutions include; Kenya School of Government, Kenya Animal Genetic Resource Centre (KAGRC), Kenya Deposit Insurance Corporation, Kenya Bureau of Standards (KEBS), National Treasury, Media Council of Kenya (MCK), Nyeri Polytechnic, University of Nairobi, Kirinyaga university, Maseno University, Kenya Universities Fund Board, Kenya National Library Services (KNLS), Kenya Tsetse and Trypanosomiasis Eradication Council (KENATTEC), Meru Technical Polytechnic, the Agricultural Food Authority (AFA), Kenya Veterinary Board, Tana and Athi Rivers Development Authority, Kenya Civil Aviation Authority (KCAA), The Kenya Accountants and Secretaries National Examinations Board (KASNEB), Commission on Administrative Justice (CAJ), Kenya Medical Training College; Unclaimed Financial Assets Authority; Kenya Institute of Curriculum Development, Jomo Kenyatta University of Science and Technology, Ministry of Petroleum and Mining; The Kenya Accreditation Service; Kenya Airports Authority ; National Research Fund; Vision 2030 Secretariat; South Eastern Kenya University (SEKU), Kenya Deposit Insurance Cooperation(KDIC); Dedaan Kimathi University of Technology, National Environment Trust Fund (NETFUND), National Youth Service, Women Enterprise Fund, University of Kabianga; Kenya National Accreditation Services (KENAS), Kenya Revenue Authority, National Youth Service, Kenya Roads Board, National Transport and Safety Authority (NTSA), Kenya Universities and Colleges Central Placement Services (KUCCPS), Kenya Industrial Property Institute, Council of Legal Education, Anti-counterfeit Authority among others. During the training, the MDAs requested NGEK to support them establish a

functional reporting and complaint-handling mechanism for Gender Based Violence (GBV).

- 1.12 Between 9<sup>th</sup> and 10<sup>th</sup> September 2021, the Commission facilitated the development of monitoring tools for the costed Kenya National Plan of Action (NPA) 2022–2026 for Online Child Sexual Exploitation and Abuse (OCSEA). The plan domiciled at the Directorate of Children’s Services, Ministry of Public Service, Gender, Senior Citizens Affairs and Special Programs, aims to guide government, industry, policymakers, civil society organizations and communities to take the right measures to ensure the internet is safe for children. It outlines priority actions for all key stakeholders to establish an effective response to the rapidly changing world of the internet and its impact on children. The NPA builds on key strengths and seeks to address gaps in Kenya’s child protection system about both the prevention of and response to OCSEA. The plan will also be used to identify progress in activities to prevent and respond to OCSEA as well as to identify weaknesses, gaps and challenges.
- 1.13 Between 21<sup>st</sup> and 25<sup>th</sup> February 2022, the Commission facilitated and contributed to the development of the UN Sustainable Development Cooperation Framework (2022-2026). The Commission was responsible for ensuring mainstreaming of issues of Special Interest Groups in all key actions identified within the framework.
- 1.14 The Commission made a written submission and made a presentation on the status of implementation of the International Conference on Population and Development (ICPD), specifically on ICDP+25 commitment 5, dubbed, *End gender and other forms of discrimination by 2030 through enforcing the anti-discrimination laws and providing adequate budgetary allocations to institutions mandated to promote gender equality, equity and empowerment of women and girls*. The Commission called on development partners, the private sector, communities and government to increase resource allocation to anti-FGM programming to accelerate its elimination by end of 2022.

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

- 2.1 The Commission contributed to the review of 56 legal, policy and administrative instruments both at the County and National levels. The inputs were mainly to address equality and inclusion issues and ensure the rights and freedoms of the most vulnerable population are guaranteed, protected and promoted. The list of the bills and regulations reviewed are listed herein;

National Laws and Policies

- 1 Special Needs education Bill of 2021
- 2 Breastfeeding Mothers Bill, 2019
- 3 Care and Protection of Child Parents Bill, 2019
- 4 National Cohesion and Peace Building Bill. Senate Bills No 19 of 2021

- 5 County Oversight and Accountability Bill Senate Bills No 17 of 2021
- 6 The Preservation of Human Dignity and Protection of Economic and Social Rights Bill. Senate Bills No 21 of 2021
- 7 Children bill, 2021, National Assembly
- 8 The Senate Elections Amendment Bill No. 42, 2021
- 9 The Senate Elections Amendment Bill No.43, 2021
- 10 Political Parties Amendment Bill, No 56 of 2021
- 11 Military Veterans Bill, 2022 (National Assembly Bill No 4 of 2022)
- 12 The Geriatric Bill, 2021 (National Assembly Bill No 51 Of 2021)
- 13 Elections (Amendment) Bill, 2021 (National Assembly Bills No. 41 of 2021)
- 14 Elections Campaign Finance (Amendment) Bill, No. 37 of 2021 (Senate)
- 15 Elections Amendment Bill No. 3, 2022 (National Assembly)
- 16 National Cohesion and Integration (Amendment) Bill, 2022
- 17 The Persons with Disability Bill, No 61 of 2021
- 18 County Oversight and Accountability Bill (Senate Bills No 17 of 2021)
- 19 The Prompt Payment Bill (Senate Bills No. 16 of 2021)
- 20 The Kenya Sign Language Bill (Senate Bills No 5 of 2021).
- 21 The Start-Up Bill, 2021
- 22 The Sexual Offences Amendment Bill 2020
- 23 National Policy on Prevention and Response to GBV, 2014
- 24 Gender Mainstreaming Policy 2021 for Kenya Vision 2030 Delivery Secretariat
- 25 Public Finance Management (Disaster Management Fund) Regulations, 2022
- 26 National Health Insurance Fund (Claims and Benefits) Regulations, 2022
- 27 National Health Insurance Fund (Empanelment and Contracting) Regulations, 2022
- 28 National Health Insurance Fund (Beneficiary Identification) Regulations, 2022
- 29 National Health Insurance Fund (Member Registration) Regulations, 2022
- 30 National Health Insurance Fund (Contributions) Regulations, 2022
- 31 National Health Insurance Fund (Beneficiary Identification) Regulations, 2022
- 32 South Eastern Kenya University sexual and gender-based harassment prevention policy
- 33 National Gender and Equality Commission Complaints Handling and Procedure Regulations, 2022
- 34 County Assemblies Gender Policy, 2020.
- 35 The Kenya National Highway Authority (KENHA Strategy for Gender Mainstreaming in the Roads Sub Sector
- 36 The Kenya National Highway Authority (KENHA Gender Monitoring and Action Plan for the Roads Sub Sector
- 37 The Kenya National Highway Authority (KENHA Guidelines, Checklists and Tools for Implementation of Gender Programming
- 38 The Kenya National Highway Authority (KENHA) Guidelines on gender mainstreaming for the road sector-Jomvu-Mariakani highway.

### County Laws and Polices

- 39 Draft County Court Users Committee gender policy
- 40 Kilifi County Persons with disability Bill 2021
- 41 Nyeri County Vocational Training Centres bill, 2021
- 42 The Nyeri County Social Assistance bill, 2021
- 43 The Children Court Users Committee guidelines
- 44 Kisumu County SGBV Policy, 2020
- 45 Kisumu County Sexual and Reproductive Health Act.
- 46 Isiolo County Gender Policy
- 47 Frontier Counties Development Council Social Economic Bill,2021
- 48 Wajir County Minority and Marginalized Groups Bill, 2020
- 49 Baringo County Climate Change Bill, 2021
- 50 Turkana county SGBV policy
- 51 The Lamu County Drug and Substance Abuse Bill 2018
- 52 The Kilifi Gender-Based Violence draft policy,2021
- 53 The Garissa County Gender Policy,2020
- 54 The Machakos Teacher Training College draft gender mainstreaming policy 2022
- 55 The Machakos Teachers and Training College draft sexual harassment policy 2022
- 56 The Kilifi Environment draft Policy, 2021

- 2.2 The Commission finalized the development of the National Gender and Equality Commission Complaints Handling and Procedure Regulations, 2022 to give effect and facilitate the operationalization of the powers of the Commission in regard to investigations. The regulations were approved by the National Assembly and Gazetted on May 4, 2022. The regulations are now fully in force.
- 2.3 The Commission in collaboration with Humanity Inclusion disseminated the County model policy and model legal framework on Sexual Gender-Based Violence in five (10) counties namely, Samburu, West Pokot, Tharaka Nithi, Laikipia, Kilifi, Wajir, Nyandarua, Vihiga, Isiolo and Turkana. These frameworks will facilitate the counties to formulate country-specific laws and policies that address SGBV. They are also key sources of information for the duty bearers on response, prevention, and management of SGBV. Based on this, Tharaka Nithi and Isiolo have developed their County Gender Based Violence policies.
- 2.4 The Commission was enjoined in a court matter petition E211 of 2022 at the High Court of Kenya on compliance of the political parties with the not more than two-thirds gender rule when constituting nomination and political party lists. While the judgment placed unanticipated responsibility on IEBC, the Commission has taken the leadership in the appeal of the matter in an appellant court and is awaiting the judgment. In addition, the commission engaged in multiple other mechanisms of convincing the political parties to voluntarily comply with the not more than two-thirds gender rule.

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- GBV, child protection and harmful cultural practices, and the effects of COVID-19 on the livelihoods of refugee and host communities.
- ii. Facilitated the coordination of the interagency GBV working group to discuss progress made so far by all actors in reducing GBV cases among host and refugee communities.
  - iii. Facilitated the training of GBV and child protection volunteers to establish a community-based GBV and child protection network to sensitize, identify and respond to violence against women, girls and children at the ward level.

**Strategic Objective 3:** To promote public awareness of the principles of equality and inclusion

- 3.1 The Commission facilitated the strengthening of Equality and Inclusion Technical Working Groups (E&ITWG) in 12 Counties: Samburu, West Pokot, Tharaka Nithi, Laikipia, Kilifi, Wajir, Nyandarua, Vihiga, Isiolo, Narok, Lamu and Turkana counties. The E&ITWGs are 'vehicles' for monitoring progress that the National and County governments are making in promoting gender equality and freedom from discrimination. They are also expected to identify emerging drivers of exclusion and develop county-specific accountability frameworks to ensure SIGs' rights are protected and promoted.
  
- 3.2 Under its coordination role, the Commission facilitated fifty three (53) consultative meetings aimed at bringing stakeholders together to discuss issues affecting SIGS and draw strategies for addressing challenges faced by SIGs in matters of gender equality and inclusion. Among the issues discussed during the period under review include participation and inclusion of SIGs in the 2022 General Election, prevention and response to GBV and election-related violence, protection and promotion of rights of Persons with Disabilities and children during post intense COVID-19 period, the welfare of older persons of society given the current economic recession and the 2022 general election, services provided by various stakeholders to promote the rights of the SIGs, Sensitization on GBV reporting mechanisms, County SGBV Directory, sharing of reports and experiences and dissemination of the SGBV Referral Tool, as well as discussion of specific legal frameworks affecting SIGs, the Child Act 2021. The meetings specifically took stock of the level of preparedness, participation, and inclusion of SIGs in election processes including voter registrations.
  
- 3.3 Between July and September 2021, the Commission coordinated a stakeholder round table meeting to discuss modalities for the operationalization of the POLICARE program. The Commission is a member of the Policare Technical Working Group. The Commission facilitated the development of the Policare Policy, Standard Operating Procedures (SOPs) and the Policare Strategy launched in October 2021. In addition, the Commission facilitated the process of linking the POLICARE program to established safe houses and shelters. In September, the Commission commenced the linkage of POLICARE with a newly established shelter in Kiambu County (Kanunga).
  
- 3.4 During the review period, the Commission facilitated the commemoration of fifteen (15) International days specific to special interest groups. These are:
  - i. International Day of the World's Indigenous Peoples held every 9th of August. The theme for 2021 was '*Leaving no one behind: Indigenous peoples and the call for a new social contract*';

- ii. International Youth Day commemorated every 12th day of August. The 2021 theme was, *'Transforming Food Systems: Youth Innovation for Human and Planetary Health'*;
- iii. The international Day for Older persons held every 1st of October. In 2021, the theme was, *'Digital Equity for All Ages'*;
- iv. International Rural Women's day commemorated every 15th of October. The 2021 theme was, *'Rural Women Cultivating Good Food for All'*;
- v. 16 Days of Activism held between 25<sup>th</sup> Nov and 10th Dec 2021 under the theme *Orange the World: End Violence Against Women*
- vi. International Day for PWDs commemorated on the 3rd day of December. The 2021 theme was, *'Leadership and participation of persons with disabilities toward an inclusive, accessible and sustainable post-COVID-19 world'*.
- vii. The International Day of Zero Tolerance to FGM is an awareness day marked every 6th February to educate the public on issues of Female Genital Mutilation, mobilize political will and resources to eradicate FGM and celebrate achievements and preserve gains made so far in the efforts of ending FGM. The 2022 theme for the celebrations was, *'Accelerating Investment to End Female Genital Mutilation'*;
- viii. The International Women's Day 2022. The celebrations were held in March under the theme, *'Gender equality today for a sustainable tomorrow: Breaking the Bias'*. The Commission issued a press statement and celebrated the day with women of Turkana, West-Pokot, Kilifi, Samburu and Tharaka Nithi Counties.
- ix. International wheelchair day which was held on 1st March 2022 at the University of Nairobi. The theme for the 2022 celebration was my *'wheelchair my ability to inclusion'*.
- x. Day of the African Child marked every 16<sup>th</sup> of June. The 2022 theme was *'Eliminating Harmful Practices Affecting Children: Progress on Policy and Practice since 2013'*. The theme called on the need to re-evaluate the approaches, policies, programs and legislation that have been adopted by Kenya since the celebration of DAC 2013.
- xi. World Elder Abuse Awareness Day marked every 15<sup>th</sup> of June. The 2022 theme was *'Building Strong Support for Elders'*. The theme called on the need to plan and build a society for all and to provide specific and adequate support to older members of society.
- xii. The International Albinism awareness day was held on 13<sup>th</sup> June 2022 in Kilifi County. The theme of the commemoration was, *'United in making our voice heard.'* The theme was chosen to amplify the voices, and highlight the work being done, by and for, the people with albinism.
- xiii. The International Families Day whose theme was *'Families and Urbanization'* held on 16<sup>th</sup> May 2022,
- xiv. The International Museum Day whose theme was *'The Future of Museums: Recover and Reimagine'*. The commemoration was held on 18<sup>th</sup> May 2022, and,

- xv. The World Day for Cultural Diversity for Dialogue and Development dubbed ‘*National Women’s Peace Walk*’ celebrated on 21st May 2022. During this commemoration, the participants were informed about the importance of sustainable and family-friendly policies
- 3.5 The Commission facilitated public education forums on gender equality and freedom from discrimination in 17 Counties: Baringo, Elgeyo Marakwet, Narok, Tharaka Nithi, Kilifi, Samburu, West Pokot, Isiolo, Laikipia, Nyandarua, Vihiga, Wajir, Turkana, Nyeri, Garissa, Siaya and Nakuru Counties. The educational meetings were held on the following dates: 2<sup>nd</sup> - 9<sup>th</sup> July 2021, 16<sup>th</sup> -20<sup>th</sup> August 2021, 6<sup>th</sup> -18<sup>th</sup> December 2022, 2<sup>nd</sup> to 4<sup>th</sup> February 2022 and 6<sup>th</sup> -12 March 2022, and 12-14<sup>th</sup> April 2022) The public education sessions focused on building the capacity of different actors in addressing patriarchal and harmful practices against women; facilitate access to justice by fast-tracking gender-based related violations; engage and support male champions in supporting the participation of SIG in development agenda, strengthening SIGs participation in the governance sector, and on the challenges of access of justice during the COVID -19 pandemic. During the forums opportunities available for greater engagement and participation of SIGS in the county and national development were discussed. The forums were able to reach over 1800 persons including representatives of children, youth, women, PWDs, older members of society, and minority and marginalised communities. Through public education efforts by the Commission, there is increased reporting on violations of the principles of equality and including Gender-based violence.
- 3.6 Facilitated and contributed to the launch of a UNWomen project entitled ‘*Enhancing Women’s Participation in Political Leadership and Decision Making*’. The project is a three-year program targeting 7 Counties (Kericho, Wajir, Kisii, Homabay, Samburu, Kajiado and Embu) and aims at increasing the participation and representation of women in political leadership and decision-making in Kenya.
- 3.7 Participated and contributed to a national consultative meeting on peacebuilding, conflict prevention and mitigation on 16<sup>th</sup> September 2021 in Nairobi. The forum brought together stakeholders to deliberate on strategies for promoting ethnic dialogue and reconciliation. The meeting mapped out key actions necessary to mitigate politically instigated conflicts at the community level. Other strategies identified include; people-to-people peacebuilding approaches, and citizen participation in the county and national level peace-building dialogues.
- 3.8 The Commission participated and contributed to a consultative meeting organised by the Council of Governors on the 10-year assessment of the impact of devolution on women and girls. Further, the Commission contributed and participated in a stakeholders meeting to discuss challenges that women in the business encounter. The meeting identified available opportunities for eliminating discrimination and closing the gender gap in businesses. The meeting was hosted by the Association of Media

Such mechanisms included facilitated dialogue on the subject matter and targeted meetings with the leadership of the various political parties.

- 2.5 During the period under review, the Commission received eighty-seven (87) complaints on the violations of the principle of equality and freedom from discrimination for the SIG. The complaints ranged from domestic violence and abuse, employment, land disputes, child neglect and abuse, assault, rape, defilement, succession, electoral disputes, land issues, divorce and related matrimonial complaints, Probate and administration, child maintenance, child adoption procedures, varying forms of discrimination including in respect to access to *Inua Jamii* cash transfer services, negligence, denial of financial support, physical and mental abuses and mistreatment, harassment, forced eviction, child custody, among others. The complaints were fully processed and where appropriate the complaints were referred to the relevant institutions for redress including the department of children, the Commission on Administrative Justice, the police station, the children's office, the Office of Director of Public Prosecution State Department for Gender, and local administrative offices.
- 2.6 Conducted a rapid investigative mission at Nyandarua County, Engineer sub-county, on a matter of alleged defilement of a child. The team met with the county children officer, county director for gender, and other sub-county administrators and issued recommendations on the case that included, the need for the survivor to be enrolled back in school; placement of the child and her baby in a safe environment/custody, provision of psychosocial support to the survivor and her parents, and for the child officer to work closely with the office of the Director of Public Prosecutions to fast track the conclusion of the investigations. The Commission will make a follow-up on the matter in the next financial year to accelerate access to justice for child survivor.
- 2.7 On 9th June 2022, the Commission through the Nakuru regional office conducted a rapid review on a matter of alleged defilement of a minor girl- 17years. It was alleged that the girl had been defiled and impregnated by her step-father and the father had attempted to support the minor and terminate the pregnancy. The Commission mounted a case conference with key partners to address the matter. The partners were drawn from State Department for Gender, county government, shelter homes forum, Nakuru Legal Aids services and department of children services. The child was rescued and placed at Florics of Hope rescue centre. A follow-up of the subject's case in court revealed that the file number was missing from the registry and further that the case had become dormant due to the COVID-19 pandemic.
- 2.8 In collaboration with UNICEF Kenya through the European Union's response to the health and socio-economic impact of COVID-19 in the Intergovernmental Authority on Development (IGAD) in Eastern Africa region project, the Commission took leadership in the following activities in Dadaab Sub County, Garissa county:
- i. Held 3 mentorship meetings for girls out-of-school and girls in-school within the refugee and host communities in Dadaab. The meetings addressed issues of

Women in Kenya (AMWIK). The meeting was held on 9th September 2021 at Monarch Hotel, Nairobi and sought to leverage media in ensuring a -gender-responsive society grounded on robust Women Economic Empowerment programs.

- 3.9 Participated and contributed to a forum on the Impact of the Mining Industry, Natural Resource Exploration and Community Land Tenure System On Women’s Rights to Access, Use and Own Property. The meeting was organized by Kenya Legal and Ethical Issues Network on HIV & AIDS (KLEIN) on 23<sup>rd</sup> September 2021. During the meeting, the Commission was requested to consider conducting an audit on the impact of the mining industry, natural resource exploration and community land tenure system on women’s rights to access, use and own property.

**Strategic Objective 4:** To Promote the implementation of affirmative action and the inclusion of SIGs in the development agenda

- 4.1 In our efforts to promote inclusion and participation of SIGS in the 2022 general election, the Commission:
- i. In collaboration with REINVENT Program held a high-level consultative meeting with representatives of registered political parties to secure their commitments on
    - a. promotion of the participation of SIGs in the political party nomination process,
    - b. the reduction of gender-based violence especially directed at SIG candidates.

The meeting was held at the Kenya School of Government on 28th February 2022 and brought together representatives of 73 registered political parties. In addition, the Commission in partnership with the Centre for Transformational Leadership facilitated a meeting of selected representatives of SIGs drawn from various political parties in Nakuru country to discuss the participation and involvement of SIGs in the 2022 elections. The meeting was held on 3rd June 2022 and attended by twenty five (25) aspirants. The political parties deposited a commitment to

- a) ensure full representation, participation and involvement of special interest groups in their political parties and by extension in the 2022 general election, and
- b) prevent and respond to Gender Based Violence targeted towards SIGs during the political party primaries and the 2022 general elections.

Through this intervention, the Commission witnessed an increase in the number of SIGs cleared to vie for different positions in the 2022 general elections.

- ii. Held 5 consultative meetings with stakeholders dealing with issues of SIGs to take stock of the level of preparedness for the participation and inclusion of SIGs in the 2022 General Elections. Through these meetings, the stakeholders were facilitated to map the different interventions necessary to realise increased levels of participation of SIGs as candidates, observers, or voters. The meetings brought

together 200 state and non-state actors. The coordination meetings were held in the month of May and June 2022.

- iii. Facilitated training of 55 candidates representing Special Interest Groups in the 2022 general elections. The training focused on building their capacity on mounting effective campaigns and sharpening their communication and positioning statement around the elections. The activity was held in Nakuru County on 7<sup>th</sup> and 8<sup>th</sup> June 2022 and drew participants from Nakuru, Kisumu, Vihiga, Turkana, Kilifi, Wajir, Nyandarua, Laikipia, Samburu, West Pokot, and Isiolo. The activity was implemented in collaboration with Humanity and Inclusion under EU funding.
- iv. Facilitated and Participated in the National Women Agenda Setting Summit convened by the Centre for Multiparty Democracy, Kenya on 17<sup>th</sup> May 2022 at Safari Park Hotel. The summit deliberated on Gender Equality and Women Empowerment (GEWE) with a focus to increase women's participation and representation in electoral processes. Some of the priority areas discussed included: the provision of security by duty bearers; funding for women candidates; training of women candidates; inclusivity of women with disabilities in political processes; strengthening women caucuses for mentorship; and gender-sensitive reporting by media. The Commission highlighted the importance of supporting candidates, especially those representing PWDs, youth, and minority and marginalized groups.
- v. Facilitated the National Police Service Stakeholder forum on Serious Human Rights Violations and Sexual Violence Related to elections on 18<sup>th</sup> to 21<sup>st</sup> January 2022 in Nakuru County. During the forum, the Commission shared its experiences and lessons learnt from the 2013 and 2017 elections with a focus on election-related GBV and key priority interventions for GBV prevention during the 2022 general election.
- vi. Under the Kenya Inclusive Political Parties Programme (KIPP), the Commission participated in consultative forums with political parties, Disabled Persons Organizations (DPOs), Civil Society Organizations (CSOs), and various state actors in tracking progress made by electoral stakeholders in championing PWD participation in the political process. The meeting also documented key strides made so far since 2010 in regard to the inclusion of PWD in leadership, decision-making, and governance.
- vii. Through the Kisumu regional office, the Commission participated in a Consultative meeting on political tolerance with political parties, state agencies and other relevant stakeholders on 17<sup>th</sup> February 2022, and on 25<sup>th</sup> March 2022, in Kisumu and Migori counties respectively. Through this office, the Commission also participated in Kisumu County Multi-Stakeholders Consultative Forum on

mitigating possible electoral violence in Kenya's August 2022 elections organized by the Center for Multiparty Democracy- Kenya (CMD-K) and International Republican Institute (IRI). The forum was held on 18th February 2022.

- 4.2 Participated and contributed to a policy dialogue meeting on expanding opportunities for gender equality and inclusion to children with special needs in the social development agenda, held on 27th May 2022. The forum focused on possible opportunities for children with special needs in the education sector, social protection sector, care, and further into employability (in adulthood). The dialogue also aimed to engage children in alternative approaches to effective learning of mathematics, computing, and reading. The forum inducted participants to the principle of *inclusive quality education for all*. The meeting resolved to further examine current policies and how they address the needs of children with special needs.
- 4.3 As a member of the national technical working group, the Commission facilitated the Directorate for Social Development (DSD) in the development of the draft National Parenting Manual. The manual is aimed at developing and enhancing positive parenting skills within the family environment. The first generational pre-test tools for this manual were launched in December 2021. The manual is envisioned in the 2019 National Family Policy on Promotion and Protection.
- 4.4 Facilitated, participated and contributed to the development of the 2022-2032 National Adolescent and Young People Reproductive Health Policy. The policy aims to enhance the Sexual and Reproductive Health status of adolescents in Kenya and contribute toward the realization of their full potential in national development including mainstreaming adolescent sexual and reproductive health rights issues into the country's health system.

**5.0 Strategic Objective 5:** To increase evidence-based knowledge on issues of equality and inclusion through research and knowledge management; the Commission:

- 5.1 With support from EqualityNow, the Commission finalized the 2nd edition of the 2022 National Monitoring and Evaluation Framework for Prevention and Response to Sexual and Gender-Based Violence in Kenya. The framework provides a standard platform for re-designing the Web-Based Gender-Based Violence Information System. The Framework will be launched in quarter one of the Financial Year 2022/2023.
- 5.2 Contributed to the 10th National Monitoring and Evaluation (M&E) Conference held from 4th -8th April 2022 at Tom Mboya Labour College. The objectives of the conference were; a) To take up the stock of the decade in implementing the National Integrated Monitoring and Evaluation System (NIMES), b) to identify successes, opportunities, and areas for strengthening; c) to provide a platform for Governments, development partners, and other stakeholders to share knowledge on monitoring and evaluation M&E approaches, practice lessons and experiences; d) to share experiences

in June 2022. The Commission shall be involved in data cleaning and analysis that shall commence in the first quarter of the 2022/2023 Financial Year.

- 5.9 In April 2022, the Commission facilitated the Kenya National Bureau of Statistics to validate the Gender Statistics for the Economic Survey, 2022. Validation of the data was useful for ensuring completeness of the data submitted by MDAs, carrying out a trend analysis, editing the data, make recommendations on the scope of the report. The Commission also participated in the launch of the Economic Survey 2022.
- 5.10 Provided technical support in the design of the estimation of gender patterns in labour participation with a focus on time use. The survey focuses on time use distributions by labour activity and gender and other variables with attention to System of National Accounts (SNA) market production activities; production intended to be consumed by the household itself or given free of charge to another party (non-market production) also called -non-SNA activities. The latter includes consists of formal and informal unpaid volunteer services and those other domestic and personal services that are consumed within the household also referred to as unpaid care work and unpaid domestic work. The Commission will support the computation of the contributions of unpaid work to Kenya's economy with the understanding that much of such contributions are from women, girls, older women, and PWDs. This study is intended to inform the development of the Kenya unpaid care policy. The fair draft survey report is ready and the final report shall be launched by the second quarter of the 2022/2023 Financial Year.
- 5.11 Provided technical support to the Association of Media Women in Kenya (AMWIK) during two knowledge-sharing sessions. The first one was held in November 2021 and the other in December 2021 with a focus on the commitments to the 2021 Generation Equality Forum. The session also appraised participants about the role of media in supporting the end of GBV in Kenya by 2022. The other session emphasized the identification of the priority issues media should focus on during the 16 days of activism commemorations. More specifically the session sought to establish the preparedness of the State in responding to increasing incidences of GBV occasioned by the economic recession, and the unintended consequences of the COVID-19 mitigation programs.
- 5.12 Facilitated validation of a research report on the status of GBV cases within the Judiciary system. The meeting which was organized by CREAM and Wangu Kanja Foundation was held on 16th March 2022 at Hilton Hotel. The research generated empirical evidence on the status of Gender Based Violence cases within the Judiciary. The report would then inform the Judiciary of the need to establish special GBV courts in Kenya. The assessment covered judiciary departments in Kitui, Meru, Kilifi and Nairobi counties.

- 5.13 Facilitated, participated and contributed to the dissemination of the findings on the wave of childcare studies among populations living in informal settlements and nomadic pastoralist settings. The studies were carried out by the African Population and Health Research Centre (APHRC) in partnership with Loughborough University, the University of York, the London School of Hygiene and Tropical Medicine (LSHTM), and Kenyatta University (Kenya). The studies aimed to inform strategies for improving the nurturing care of vulnerable children in slum and semi-nomadic pastoralist settings.
- 5.14 In collaboration, Tuko Pamoja Kenya and other stakeholders conducted a rapid assessment of the security situation in Lamu on 21st and 22nd January 2022 at Juhudi Hosting Camp to assess the impact of the attacks reported in Mkunumbi and Hindi Divisions on the livelihoods of Special Interest Groups. Over 500 families were displaced during the attacks. It was agreed that community-led security programs that will sustainably help to address conflicts, radicalization as well as counter violent extremist activities in Lamu County be established.
- 5.15 Participated and contributed to the validation of the assessment on the return- and reintegration service providers for Kenya migrant workers held from 16th to 17th March 2022. The Commission highlighted gaps in the mapping activity which included among others the omission of taking views of SIGs migrant workers and migrant workers who return as PWDs. The Commission made a case for consideration of the economic contributions of SIGs migrant workers in the negotiation of bilateral trade and labour agreements for purposes of protecting SIGs migrant workers.
- 5.16 Facilitated the United National Office for Drugs and Crimes (UNODC) to conceptualize and formulate an assessment of gender dimensions of corruption. The Technical teams from NGECC, UNODC country office and New York held finalized initial consultations on the subject matter and shall be presented to the Commission for consideration. The activity is proposed to happen in the 2022/2023 financial year.
- 5.17 During the period under review, the Commission finalized and published the following reports.
- a) The First Decade of the National Gender and Equality Commission (also dubbed the commemoration of NGECC at 10 years), 2011-2021
  - b) Promoting Participation and Inclusion of Special Interest Groups in the 2022 Electoral Processes: Monitoring Report of the 2021 Phase One of the Enhanced Mass Voter Registration, Key Results, Emerging Issues, Gaps, Good Practices, and Recommendations
  - c) The National Monitoring and Evaluation Framework towards the Prevention of and Response to Gender Based Violence in Kenya (Second Edition), 2022

## 6.0 Institutional Capacity

- 6.1 The Commission Commemorated a decade of active promotion of gender equality, inclusion and non-discrimination in Kenya. The commemorations were held on 30<sup>th</sup> August 2021 at Kenya School of Government (KSG), Kabete, Kiambu County. The Commemorations involved an array of activities which included a reflection on the ten (10) year journey and strategizing towards the future, equality and inclusion awards to individuals, institutions and Counties championing gender equality and inclusion and the launch of key NGECC publications. A total of 80 individuals, institutions and counties were feted for their efforts towards promoting gender equality and inclusion in Kenya.
- 6.2 During the commemorations, the following seven publications were launched:
- i. A Scorecard for the evaluation of progress made by the State in the implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol scorecard)
  - ii. Guide for County Government Leadership: Integration of Gender Equality, Inclusion in County Development.
  - iii. The 2019 Kenya Population and Housing Census: An Observation Report of the National Gender and Equality Commission: Emerging Issues, Gaps, Good Practices and Recommendations
  - iv. Equality and Inclusion of Refugees in Kenya: A Mission to Kakuma Operation Centre and Kalobeyei Integrated Socio-Economic Development Settlement Program in Turkana County
  - v. An Introduction of Gender Based Violence in Emergencies (GBVIE).
  - vi. The Socialization Agent's Educational aid materials
  - vii. Monitoring Tool for Assessing Compliance with Concluding Observations and Recommendations Issued to The Government of Kenya Under CEDAW, CRC and CRPD: A Color Scheme Score Card
- 6.3 Produced 10 variants of information, education and communication materials for promoting violence-free and inclusive elections in Kenya. Some of the materials include pamphlets, fact sheets, T-shirts, Caps, Bags, reflector jackets, Shirts

### Challenges

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

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

### Compliance and Governance

*National Gender and Equality Commission  
Annual Report and Financial Statements for the year ended 30th June, 2022*

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- i. Non-Compliance with Statutory Requirements:** There are no incidences of non-compliance with the statutory requirement
- ii. On-going or potential court cases, default/material arrears in statutory/financial obligations**  
There is a pending court case that may result in a financial obligation to the Commission.
- iii. Financial Improbity and Serious Governance Issues:**  
None

- and results of monitoring and evaluation, practices in the public sector; e) to Explore emerging M&E practice and their adoption overtime, and f) to review the use of technology in enhancing efficiency in Monitoring and Evaluation.
- 5.3 Monitored the two phases of the enhanced voter registration process between November 2021 and February 2022. The Commission made observations in 33 counties. The exercise sought to document the extent of integration of principles of gender equality and inclusion of SIGs in mass voter registration and document levels of participation of SIGs in the activity. The report of the exercise was shared with Independent Electoral and Boundaries Commission (IEBC) on 30th June 2022. Further, the Commission through the regional offices monitored the 2022 election campaign rallies with a specific focus on the levels of integration of the principles of gender equality and inclusion. The assessment documented incidences of Gender Based Violence in 204 campaign sessions monitored in Kisumu, Nakuru, Garissa, Isiolo, Kitui and Malindi between 13h June and 30th June 2022.
- 5.4 Conducted data collection on the assessment of uptake of green energy among special interest groups in Uasin Gishu, Kakamega, and Garissa. Kiambu and Nyamira Counties. The data collection exercise took place from 6th to 10th December 2021. The report of the assessment is expected to inform Government policies and programs on the uptake of clean energy among special interest groups in Kenya.
- 5.5 Participated and contributed in a roundtable discussion convened by REINVENT on 30<sup>th</sup> November 2021 aimed at addressing issues of Sexual and Gender-Based Violence (SGBV) Violence Against Women and Girls (VAWG) and the Data Collection and Management systems in the country and strategies for addressing increasing opportunities for women, youth and PWDs participation in the electoral processes including nominations by the political parties
- 5.6 Conducted an assessment of the plight of older members of society during the COVID-19 pandemic. The objective of the study was to assess the effects of COVID -19 on the socio-economic welfare of older members of society and document good practices and strategies for addressing the challenges thereof.
- 5.7 In partnership with Collaborative Centre for Gender and Development (CCGD), and State Department for East Africa Community, the Commission completed a study on Women Economic Empowerment (WEE), Women Empowerment Collectives (WEC) and Gender Integration (GI) in National Government Ministries, Departments and agencies and county governments. The objective of the study was to determine progress made in these dimensions of gender equality and gaps to address to accelerate the attainment of Sustainable Development Goal 5 (SDG5).
- 5.8 As a member of the Gender Sector Statistic Committee, the Commission facilitated the Kenya National Bureau of Statistics to develop data collection tools, study protocols and training materials on gender modules for the 2022 Kenya Demographic Health Surveys. The survey data collection commenced in February 2022 and was concluded

## **5. STATEMENT OF MANAGEMENT RESPONSIBILITIES**

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

The Accounting Officer in charge of the National Gender and Equality Commission is responsible for the preparation and presentation of the National Gender and Equality Commission's financial statements, which give a true and fair view of the state of affairs of the Commission for and as at the end of the financial year ended on June 30, 2022. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period, (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the National Gender and Equality Commission, (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud, (iv) safeguarding the assets of the National Gender and Equality Commission; (v) selecting and applying appropriate accounting policies, and (vi) making accounting estimates that are reasonable in the circumstances.

The Accounting Officer in charge of the National Gender and Equality Commission accepts responsibility for the National Gender and Equality Commission's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS). The Accounting Officer is of the opinion that the *National Gender and Equality Commission's* financial statements give a true and fair view of the state of the National Gender and Equality Commission's transactions during the financial year ended June 30, 2022, and of the National Gender and Equality Commission's financial position as at that date. The Accounting Officer in charge of the National Gender and Equality Commission further confirms the completeness of the accounting records maintained for the National

*National Gender and Equality Commission  
Annual Report and Financial Statements for the year ended 30th June, 2022*

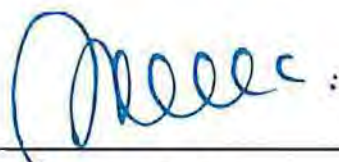
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Gender and Equality Commission, which have been relied upon in the preparation of the National Gender and Equality Commission's financial statements as well as the adequacy of the systems of internal financial control.

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

**Approval of the financial statements**

The National Gender and Equality Commission's financial statements were approved and signed by the Accounting Officer on \_\_\_2<sup>nd</sup> \_\_\_December\_\_\_ 2022.



Betty Sungura MBS  
**COMMISSION SECRETARY/CEO**



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

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## REPORT OF THE AUDITOR-GENERAL ON NATIONAL GENDER AND EQUALITY COMMISSION FOR THE YEAR ENDED 30 JUNE, 2022

### PREAMBLE

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

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

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

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

### REPORT ON THE FINANCIAL STATEMENTS

#### Opinion

I have audited the accompanying financial statements of National Gender and Equality Commission set out on pages 1 to 21, which comprise of the statement of assets and liabilities as at 30 June, 2022 and the statement of receipts and payments, statement of cash flows and statement of comparison of budget and actual amounts for the year then

*Report of the Auditor-General on National Gender and Equality Commission for the year ended 30 June, 2022*

ended and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, the financial statements present fairly, in all material respects, the financial position of the National Gender and Equality Commission as at 30 June, 2022 and of its financial performance and of its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the National Gender and Equality Commission Act, 2011 and the Public Finance Management Act, 2012.

### **Basis for Opinion**

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

### **Key Audit Matters**

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

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

### **Conclusion**

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

### **Basis for Conclusion**

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

## REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

### Conclusion

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

### Basis for Conclusion

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

### Responsibilities of Management and those Charged with Governance

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

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

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

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

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

## Auditor-General's Responsibilities for the Audit

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

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

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

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

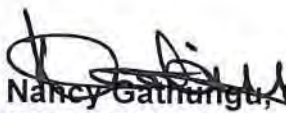
As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal controls.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management's use of the applicable basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Commission to cease to continue to sustain its services.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Commission to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

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

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

  
CPA Nancy Gathungu, CBS  
AUDITOR-GENERAL

Nairobi

10 January, 2023

*National Gender and Equality Commission  
Annual Report and Financial Statements for the year ended 30th June, 2022*

**6. STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED  
30<sup>TH</sup> JUNE 2022**

	Note	June 30th	June 30th
		2022	2021
		KShs	KShs
<b>RECEIPTS</b>			
Exchequer releases	1	432,378,070	353,439,706
<b>TOTAL REVENUES</b>		<b>432,378,070</b>	<b>353,439,706</b>
<b>PAYMENTS</b>			
Compensation of Employees	2	237,064,009	222,192,632
Use of goods and services	3	167,601,467	120,734,762
Social Security Benefits	4	7,500,000	7,000,000
Acquisition of Assets	5	20,211,923	3,380,429
<b>TOTAL PAYMENTS</b>		<b>432,377,399</b>	<b>353,307,823</b>
<b>SURPLUS/DEFICIT</b>		<b>671</b>	<b>131,883</b>

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The National Gender and Equality Commission financial statements were approved on \_\_2<sup>nd</sup>\_\_ December \_\_2022 and signed by:



Betty Sungura MBS  
COMMISSION SECRETARY/CEO



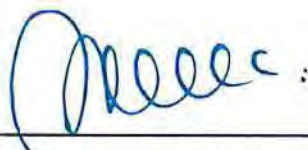
CPA Joseph Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

*National Gender and Equality Commission  
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**7. STATEMENT OF ASSETS AND LIABILITIES AS AT 30<sup>TH</sup> JUNE 2022**

	Note	June 30th	June 30th
		2022	2021
		KShs	KShs
<b>FINANCIAL ASSETS</b>			
<b>Cash and Cash Equivalents</b>			
Bank Balances	6	47,445,773	24,839,254
<b>Total Cash And Cash Equivalents</b>		<b>47,445,773</b>	<b>24,839,254</b>
Accounts Receivables - Outstanding Imprest and Clearence Accounts	7	-	-
<b>TOTAL FINANCIAL ASSETS</b>		<b>47,445,773</b>	<b>24,839,254</b>
<b>LESS: FINANCIAL LIABILITIES</b>			
Accounts Payables - Deposits	8	36,678,201	13,940,473
<b>NET FINANCIAL ASSETS</b>		<b>10,767,572</b>	<b>10,898,781</b>
<b>REPRESENTED BY</b>			
Fund balance b/fwd	9	10,898,780	10,983,389
Surplus/Defict for the year		671	131,883
Prior year adjustments	10	- 131,880	- 216,492
<b>NET FINANCIAL POSITION</b>		<b>10,767,571</b>	<b>10,898,780</b>

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The National Gender and Equality Commission financial statements were approved on 2<sup>nd</sup> December 2022 and signed by:



Betty Sungura MBS  
COMMISSION SECRETARY/CEO

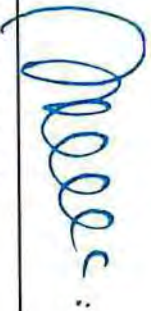


CPA Joseph Ndiku  
ASSISTANT DIRECTOR (FP&A)  
ICPAK: 4229

**9. STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR FY2021/22**

Revenue/Expense Item	Original Budget	Adjustments	Final Annual Budget	Actual cumulative to date	Budget Utilisation Difference	% of Utilisation Difference to Final Budget
	30.06.22 a	30.06.22 b	30.06.22 c = b-c	30.06.22 d	30.06.22 f=e-d	30.06.22 e=d/c %
<b>RECEIPTS</b>						
Exchequer releases	449,893,581	-	449,893,581	432,378,070	17,515,511	96%
<b>Total Receipts</b>	<b>449,893,581</b>	<b>-</b>	<b>449,893,581</b>	<b>432,378,070</b>	<b>17,515,511</b>	<b>96%</b>
<b>PAYMENTS</b>						
Compensation of Employees	241,860,000	-	241,860,000	237,064,009	4,795,991	98%
Use of goods and services	179,842,033	-	179,842,033	167,601,467	12,240,566	93%
Social Security Benefits	7,500,000	-	7,500,000	7,500,000	-	100%
Acquisition of Assets	20,691,548	-	20,691,548	20,211,923	479,625	98%
<b>Grand Total</b>	<b>449,893,581</b>	<b>-</b>	<b>449,893,581</b>	<b>432,377,399</b>	<b>17,516,182</b>	<b>96%</b>

The National Gender and Equality Commission financial statements were approved on    2<sup>nd</sup>    December    2022 and signed by:



Betty Sungura MBS  
COMMISSION SECRETARY/CEO



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

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**(A) SUMMARY STATEMENT OF APPROPRIATION: RECURRENT FOR FY2021/22**

Revenue/Expense Item	Original Budget	Adjustments	Final Annual Budget	Actual cumulative to date	Budget Utilisation Difference	% of Utilisation Difference to Final Budget
	30.06.22 a	30.06.22 b	30.06.22 c = b-c	30.06.22 d	30.06.22 f=e-d	30.06.22 e=d/c %
<b>RECEIPTS</b>						
Exchequer releases	439,762,581		439,762,581	432,378,070	7,384,511	98%
<b>Total Receipts</b>	<b>439,762,581</b>	<b>-</b>	<b>439,762,581</b>	<b>432,378,070</b>	<b>7,384,511</b>	<b>98%</b>
<b>PAYMENTS</b>						
Compensation of Employees	241,860,000	-	241,860,000	237,064,008	4,795,992	98%
Use of goods and services	169,711,033	-	169,711,033	167,601,467	2,109,566	99%
Social Security Benefits	7,500,000	-	7,500,000	7,500,000	-	100%
Acquisition of Assets	20,691,548	-	20,691,548	20,211,923	479,625	98%
<b>Grand Total</b>	<b>439,762,581</b>	<b>-</b>	<b>439,762,581</b>	<b>432,377,398</b>	<b>7,385,183</b>	<b>98%</b>

The National Gender and Equality Commission financial statements were approved on \_2nd \_December\_ 2022 and signed by:



Betty Sungura MBS  
**COMMISSION SECRETARY/CEO**



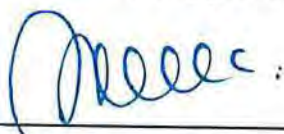
CPA Joseph Ndiku  
**ASSISTANT DIRECTOR (FP&A)**  
**ICPAK: 4229**

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### 8. STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH JUNE 2022

	Note	June 30th	June 30th
		2022	2021
		KShs	KShs
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>			
<b>Receipts for operating income</b>			
Transfers from National Treasury	1	432,378,070	353,439,706
		<b>432,378,070</b>	<b>353,439,706</b>
<b>Payments for operating expenses</b>			
Compensation of Employees	2	237,064,009	222,192,632
Use of goods and services	3	167,601,467	120,734,762
Social Security Benefits	4	7,500,000	7,000,000
		<b>412,165,476</b>	<b>349,927,394</b>
<b>Adjusted for:</b>			
Changes in receivables	7	-	-
Changes in payables	12	22,737,728	3,862,267
Adjustments during the year	10	- 131,880	216,492
<b>Net cashflow from operating activities</b>		<b>42,818,442</b>	<b>7,158,087</b>
<b>CASHFLOW FROM INVESTING ACTIVITIES</b>			
Acquisition of Assets	5	20,211,923	3,380,429
<b>Net cash flows from Investing Activities</b>		<b>- 20,211,923</b>	<b>- 3,380,429</b>
<b>CASHFLOW FROM BORROWING ACTIVITIES</b>			
Proceeds from Domestic Borrowings		-	-
<b>Net cash flow from financing activities</b>		<b>-</b>	<b>-</b>
<b>NET INCREASE IN CASH AND CASH EQUIVALENT</b>			
		<b>22,606,519</b>	<b>3,777,658</b>
<b>Cash and cash equivalent at BEGINNING of the year</b>		<b>24,839,253</b>	<b>21,061,595</b>
<b>Cash and cash equivalent at END of the year</b>		<b>47,445,772</b>	<b>24,839,253</b>

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The National Gender and Equality Commission financial statements were approved on 2<sup>nd</sup> December 2022 and signed by:



Betty Sungura MBS  
COMMISSION SECRETARY/CEO



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

**(B) SUMMARY STATEMENT OF APPROPRIATION: DEVELOPMENT FOR FY 2021/22**

Revenue/Expense Item	Budget	Actual	Budget Utilisation Difference	Budget cumulative to date	Actual cumulative to date	Budget Utilisation Difference	% of Utilisation Difference to Final Budget
	a	b	c=a-b	d	e	f=e-d	g=e/d %
<b>RECEIPTS</b>							
Exchequer releases	10,131,000			10,131,000		- 10,131,000	0%
Other Receipts							0%
<b>Total Receipts</b>	<b>10,131,000</b>	<b>-</b>	<b>-</b>	<b>10,131,000</b>	<b>-</b>	<b>- 10,131,000</b>	<b>0%</b>
<b>PAYMENTS</b>							
Compensation of Employees	10,131,000			10,131,000		- 10,131,000	0%
Use of goods and services							0%
Social Security Benefits							0%
Acquisition of Assets							0%
Other Expenses							0%
<b>Grand Total</b>	<b>10,131,000</b>	<b>-</b>	<b>-</b>	<b>10,131,000</b>	<b>-</b>	<b>- 10,131,000</b>	<b>0%</b>

The National Gender and Equality Commission financial statements were approved on   2<sup>nd</sup>   December    2022 and signed by:

  
\_\_\_\_\_

Betty Sungura MBS  
COMMISSION SECRETARY/CEO

  
\_\_\_\_\_

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

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**(C) BUDGET EXECUTION BY PROGRAMMES AND SUB-PROGRAMMES FOR FY2021/22**

<b>Program: Promotion of Gender Equality and Freedom from Discrimination</b>				
		<b>Approved Budget</b>	<b>Actual Payments</b>	<b>Variance</b>
Sub Prog 1	Legal Compliance and Redress	30,304,372.00	29,218,415.75	1,085,956.25
Sub Prog 2	Mainstreaming and Coordination	10,843,125.00	10,424,281.70	418,843.30
Sub Prog 3	Public Education, Advocacy, And Research	26,765,405.00	16,079,160.05	10,686,244.95
Sub Prog 4	General Administration Planning and Support Services	381,980,679.00	376,781,727.35	5,198,951.65
<b>Grand Total</b>		<b>449,893,581.00</b>	<b>432,503,584.85</b>	<b>17,389,996.15</b>

## **10. NOTES TO THE FINANCIAL STATEMENTS**

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

### **a) Statement of Compliance and Basis of Preparation**

The financial statements have been prepared in accordance with Cash-basis International Public Sector Accounting Standards (IPSAS) as prescribed by the Public Sector Accounting Standards Board (PSASB) and set out in the accounting policy note below. This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits and retentions.

The financial statements comply with and conform to the form of presentation prescribed by the PSASB. The accounting policies adopted have been consistently applied to all the years presented.

### **b) Reporting National Gender and Equality Commission**

The financial statements are for the National Gender and Equality Commission. The financial statements encompass the reporting National Gender and Equality Commission as specified under Section 81 of the PFM Act 2012.

### **c) Reporting Currency**

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

### **d) Significant Accounting Policies**

The accounting policies set out in this section have been consistently applied by the National Gender and Equality Commission for all the years presented.

**a) Recognition of Receipts**

The National Gender and Equality Commission recognises all receipts from various sources when the event occurs, and the related cash has been received by the National Gender and Equality Commission.

**(i) Transfers from the Exchequer**

Transfers from the exchequer are recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving National Gender and Equality Commission.

**(ii)**

**External Assistance**

External assistance is received through grants and loans from multilateral and bilateral development partners. Grants and loans shall be recognized in the books of accounts when cash is received. Cash is considered as received when payment advice is received by the recipient National Gender and Equality Commission or by the beneficiary. In the case of a grant/loan in kind, such grants are recorded upon receipt of the grant item and determination of the value. The date of the transaction is the value date indicated on the payment advice. A similar recognition criterion is applied for loans received in the form of direct payment.

During the year ended 30<sup>th</sup> June 2022, there were no instances of non-compliance with terms and conditions which have resulted in the cancellation of external assistance loans.

**(iii)**

**Other receipts**

These include Appropriation-in-Aid and relate to receipts such as proceeds from the disposal of assets and sale of tender documents. These are recognised in the financial statements the time associated cash is received.

**b) Recognition of payments**

The National Gender and Equality Commission recognises all payments when the event occurs, and the related cash has been paid out by the Commission.

**i) Compensation of Employees**

Salaries and wages, allowances, and statutory contributions for employees are recognized in the period when the compensation is paid.

**ii) Use of Goods and Services**

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

**iii) Acquisition of Fixed Assets**

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

A fixed asset register is maintained and a summary is provided for purposes of consolidation. This summary is disclosed as annexure 1 to the financial statements.

**iv) Acquisition of Fixed Assets**

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

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Annual Report and Financial Statements for the year ended 30th June, 2022*

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A fixed asset register is maintained and a summary is provided for purposes of consolidation.

**v) In-kind contributions**

In-kind contributions are donations that are made to the National Gender and Equality Commission in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the National Gender and Equality Commission includes the such value in the statement of receipts and payments both as receipts and as payments in equal and opposite amounts; otherwise, the contribution is not recorded.

**c) Cash and Cash Equivalents**

Cash and cash equivalents comprise cash on hand and cash at the bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to an insignificant risk of changes in value. Bank account balances include amounts held at the Central Bank of Kenya and various commercial banks at the end of the financial year.

A bank account register is maintained and a summary is provided for purposes of consolidation.

**d) Imprests and advances**

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

**e) Third-party deposits and retention**

*National Gender and Equality Commission  
Annual Report and Financial Statements for the year ended 30th June, 2022*

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

Other liabilities including pending bills are disclosed in the financial statements.

**f) Pending Bills**

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

**g) Budget**

The budget is developed on a comparable accounting basis (cash basis except for imprest and deposits and retentions, which are accounted for on an accrual basis), the same accounts classification basis, and for the same period as the financial statements. The original budget was approved by Parliament for the period 1<sup>st</sup> July 2021 to 30<sup>th</sup> June 2022 as required by Law.

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

**h) Comparative Figures**

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

**i) Subsequent Events**

*National Gender and Equality Commission  
Annual Report and Financial Statements for the year ended 30th June, 2022*

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There have been no events after the financial year end with a significant impact on the financial statements for the year ended 30<sup>th</sup> June 2022.

**j) Prior Period Adjustment**

During the year, errors that have been corrected are disclosed under note 10 explaining the nature and amounts.

**k) Related Party Transactions**

Related party means parties are related if one party has the ability to:

- i) Control the other party or
- ii) Exercise significant influence over the other party in making financial and operational decisions, or if the related party Entity C and another Entity are subject to common control.

Related party transaction is a transfer of resources or obligations between related parties regardless of whether a price is charged.

**l) Contingent Liabilities**

A contingent liability is:

- i) A possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the National Gender and Equality Commission; or
- ii) A present obligation that arises from past events but is not recognised because:
  - It is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or
  - The amount of the obligation cannot be measured with sufficient reliability.

Some the contingent liabilities may arise from: litigation in progress, guarantees, and indemnities. Letters of comfort/ support, insurance, Public-Private Partnerships, The National Gender and Equality Commission does not recognize a contingent liability but discloses details of any contingencies in the notes to the financial statements unless the possibility of an outflow of resources embodying economic benefits or service potential is

*National Gender and Equality Commission*  
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remote. Note 13.3 and Annex 2 of this financial statement is a register of the contingent liabilities in the year.

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Annual Report and Financial Statements for the year ended 30th June, 2022*

## Notes to the Financial Statements

### 1 Exchequer releases

Description	June 30th	June 30th
	2022	2021
	Kshs	Kshs
Total Exchequer Releases for quarter 1	76,422,388	54,235,645
Total Exchequer Releases for quarter 2	120,854,007	132,175,667
Total Exchequer Releases for quarter 3	78,909,172	64,375,458
Total Exchequer Releases for quarter 4	156,192,504	102,652,936
<b>Total</b>	<b>432,378,070</b>	<b>353,439,706</b>

### 2 Compensation to Employees

COMPENSATION OF EMPLOYEES	June 30th	June 30th
	2022	2021
	KShs	KShs
Basic salaries of permanent employees	139,206,435	127,557,002
Personal allowances paid as part of salary	75,876,608	73,590,265
Pension and other social security contributions	21,980,966	21,045,365
<b>Total</b>	<b>237,064,009</b>	<b>222,192,632</b>

*National Gender and Equality Commission*  
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### 3 Use of Goods and Services

USE OF GOODS AND SERVICES	June 30th	June 30th
	2022	2021
	KShs	KShs
Utilities, supplies and services	2,398,850	874,586
Communication, supplies and services	5,393,525	4,095,594
Domestic travel and subsistence	18,482,879	13,648,265
Foreign travel and subsistence	6,000,000	2,082,134
Printing, advertising and information supplies & services	7,150,583	2,234,337
Rentals of produced assets	41,883,861	41,088,212
Training expenses	9,042,763	3,798,692
Hospitality supplies and services	4,215,284	1,900,996
Insurance costs	36,157,394	34,638,528
Specialised materials and services	182,840	202,200
Office and general supplies and services	3,475,481	1,924,818
Other operating expenses	25,201,955	7,745,892
Routine maintenance – vehicles and other transport equipment	3,431,145	1,857,903
Fuel Oil and Lubricants	3,753,246	1,258,754
Routine maintenance – other assets	831,662	3,383,851
	-	
<b>Total</b>	<b>167,601,467</b>	<b>120,734,762</b>

### 4 Social Security Benefits

SOCIAL SECURITY BENEFITS	June 30th	June 30th
	2022	2021
	KShs	KShs
Government pension and retirement benefits	7,500,000	7,000,000
Social security benefits in cash and in kind	-	-
Employer Social Benefits in cash and in kind	-	-
<b>Total</b>	<b>7,500,000</b>	<b>7,000,000</b>

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**7 : Imprests and Advances**

<b>Outstanding Imprests</b>	<b>June 30th</b>	<b>June 30th</b>
	<b>2022</b>	<b>2021</b>
	<b>KShs</b>	<b>KShs</b>
Government Imprests	-	-
Clearance accounts		
<b>Total</b>	-	-

**8 Third-party deposits and retention**

	<b>June 30th</b>	<b>June 30th</b>
	<b>2022</b>	<b>2021</b>
	<b>KShs</b>	<b>KShs</b>
Deposits	36,678,201	13,940,473
Retentions		
<b>TOTAL</b>	<b>36,678,201</b>	<b>13,940,473</b>

**9 Fund Balance Brought Forward**

<b>FUND BALANCES BROUGHT FORWARD</b>	<b>June 30th</b>	<b>June 30th</b>
	<b>2022</b>	<b>2021</b>
	<b>KShs</b>	<b>KShs</b>
Bank accounts	24,839,253	21,061,595
Receivables - Outstanding Imprests		
Payables - Deposits	- 13,940,473	- 10,078,206
<b>Total</b>	<b>10,898,780</b>	<b>10,983,389</b>

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**10 Prior year adjustments**

Description of error	FY 2020/2021 as per audited financial statements	During the year relating to prior periods	Bal b/f 2021/2022
	Kshs	Kshs	Kshs
Bank account balances	131,880	-	0.00
Cash in hand			
Account payables			
Receivables			
	<b>131,880</b>	-	-

**11 (Increase)/ Decrease in Advances and Imprests**

Description	FY 2021/2022	FY 2020/2021
Receivables as at 1st July	-	-
Receivables as at 30th June	-	-
<b>Increase/( Decrease) in payables</b>	-	-

*(Receivable as at 1<sup>st</sup> July for FY 2021/22 should be the same as receivable as at 30<sup>th</sup> June for FY 2020/21)*

**12 Increase/ (Decrease) in Retention and Third-Party Deposits**

Description	FY 2021/2022	FY 2020/2021
Payables as at 1st July (A)	13,940,473	10,078,206
Payables as at 30th June(B)	36,678,201	13,940,473
<b>Increase/( Decrease) in payables(C=B-A)</b>	<b>22,737,728</b>	<b>3,862,267</b>

**13 . Related Party Disclosures**

Related party disclosure is encouraged under the non-mandatory section of the Cash Basis IPSAS.

The following comprises related parties to the National Gender and Equality Commission

- i) Key management personnel that include the Cabinet Secretaries and Accounting Officers
- ii) Other Ministries Departments and Agencies and Development Projects;
- iii) County Governments; and

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## 5 Acquisition of Assets

ACQUISITION OF ASSETS	June 30th	June 30th
	2022	2021
	KShs	KShs
<b>Non Financial Assets</b>		
Refurbishment of Buildings	1,193,280	1,750,405
Purchase of Vehicles and Other Transport Equipment	11,402,000	-
Purchase of Office Furniture and General Equipment	7,616,643	1,630,024
	-	
<b>Total</b>	<b>20,211,923</b>	<b>3,380,429</b>

## 6 Bank Accounts

Name of Bank, Account No. & currency	June 30th	June 30th
	2022	2021
	KShs	KShs
<i>Central Bank of Kenya, 1000181532 , Recurrent Kes- National Gender and Equality Commission</i>	672	131,881
<i>Central Bank of Kenya, 1000414855, Development Kes – National Gender and Equality Commission</i>	10,131,000	10,131,000
<i>Central Bank of Kenya, 1000182385, Deposits Kes – National Gender and Equality Commission</i>	36,678,201	13,940,473
<i>Central Bank of Kenya, 1000414863, Access &amp; Mobility Kes – National Gender and Equality Commission</i>	635,900	635,900
<b>Total</b>	<b>47,445,773</b>	<b>24,839,254</b>

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iv) State Corporations and Semi-Autonomous Government Agencies.

## 11. OTHER IMPORTANT DISCLOSURES

**11.1: Pending Accounts Payable – No pending payables**

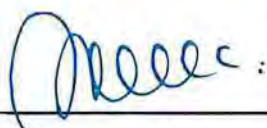
**11.2: Pending Staff Payables – No pending payables**

### 11.3 Contingent Liabilities

Contingent liabilities	2021-2022	2020-2021
	Kshs	Kshs
Court case Prof. Rose Odhiambo against the National Gender and Equality Commission.		0
<b>Total</b>	<b>16,255,894</b>	<b>0</b>

### 11.4 Progress on follow-up of Prior Years Auditor-General's recommendations

No unresolved issues raised by the Auditor General



Betty Sungura MBS  
COMMISSION SECRETARY/CEO  
(FP&A)



CPA Joseph Ndiku  
ASSISTANT DIRECTOR  
ICPAK: 4229

*National Gender and Equality Commission  
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## 12. ANNEXES

## Annexe 1 – Contingent Liabilities Register

	Nature of contingent liability	Payable to	Currency	Estimated Amount Kshs	Expected date of payment	Remarks
1	Legal	Prof Rose Odhiambo	Kshs	16,255,894		Funds set aside in the deposit account

## Annexe II – Summary of Fixed Asset Register

Asset class	Historical Cost b/f	Additions during the year	Disposals during the year	Transfers in/(out) during the year	Historical Cost c/f
	(Kshs)	(Kshs)	(Kshs)		(Kshs)
	2020/2021				2021/22
Buildings and structures	5,569,760	1,193,280	-	-	6,763,040
Transport equipment	53,650,000	11,402,000	-	-	65,052,000
Office equipment, furniture and fittings	49,271,905	7,616,643	-	-	56,888,548
Others assets	1,187,366		-	-	1,187,366
<b>Total</b>	<b>109,679,031</b>	<b>20,211,923</b>	<b>-</b>	<b>-</b>	<b>129,890,954</b>

**Annexe III- Reports Generated from IFMIS**

The following financial reports generated from IFMIS should be attached as appendices to these financial statements.


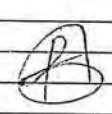
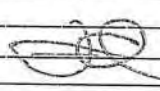
- i. GOK IFMIS Comparison Trial Balance
- ii. FO30 (Bank reconciliations) for all bank accounts
- iii. GOK IFMIS Receipts and Payments Statement
- iv. GOK IFMIS Statement of Financial Position
- v. GOK IFMIS Statement of Cash Flows
- vi. GOK IFMIS Notes to the Financial Statements
- vii. GOK IFMIS Statement of Budget Execution
- viii. GOK IFMIS Statement of Deposits
- ix. GOK IFMIS Budget Execution by Programme and Economic Classification
- x. GOK IFMIS Budget Execution by Heads and Programmes
- xi. GOK IFMIS Budget Execution by Programmes and Sub-programmes





NATIONAL GENDER AND EQUALITY COMMISSION			
CBK DEVELOPMENT ACCOUNT			
A/C NO:1000182385			
BANK RECONCILIATION STATEMENT			
FOR THE MONTH OF JUNE 2022			
Balance as per Bank statement			<b>Kes</b> 10,131,000.00
<b>Less:</b>			
1	Payments in Cash Book not yet recorded in Bank statement (unpre-sented Cheques)		0.00
	(Schedule 1)		
2	Receipts in Bank statement not yet recorded in Cash book		
<b>Add:</b>			
3	Payments in Bank statement not yet recorded in Cash book		
4	Receipts in Cash Book not yet recorded in Bank statement		
	(Schedule 2)		
5	Balance as per Cash book		10,131,000.00
<b>Prepared by:</b>			
Name		Signature	Designatio
Roy Muthomi		<i>RM</i>	Accli
			Date
			7/10/2022
<b>Verified by:</b>			
I certify that I have verified Bank balance in the cash book with the Bank statement and that the above reconciliation is correct.			
Name		Signature	Designat
<i>P. Muthomi</i>		<i>[Signature]</i>	Date
			10/7/2022
<b>Approved by</b>			
Name		Signature	Designat
<i>Joseph Muthomi</i>		<i>[Signature]</i>	Date
			10/7/22

7/15/2022	FT22196JB	Outward RTGS Payment MT 102	1016158	12600	0	1172580.1
		NATIONAL GENDER, EQUALITY COM:CBK				
		NICHOLAS MANYARA				
		/REC/0001016158				
		STD290622				
7/15/2022	FT221960V	Outward RTGS Payment MT 103	1016162	12600	0	1159980.1
		NATIONAL GENDER, EQUALITY COM:999999				
		ELIJAH NJIRU KANDIA				
		STD290622	1016162			
7/15/2022	FT221968Z	Outward RTGS Payment MT 103	1016163	22400	0	1137580.1
		NATIONAL GENDER, EQUALITY COM:999999				
		EDWIN NJERU GICHOVI				
		STD290622	1016163			
7/15/2022	FT22196J7	TRFS Payments		119328	0	1018252.1
		Withholding Tax	1016152			
7/18/2022	FT22199JV	Outward RTGS Payment MT 103	1016154	1017579.8	0	672.3
		NATIONAL GENDER, EQUALITY COM:999999				
		HONEYWELL LIMITED				
			1016154			
			30062022			
		Totals		237263815.8	235775055.2	
					Closing Balance :	672.3

<p align="center"><b>NATIONAL GENDER AND EQUALITY COMMISSION</b>  <b>CBK DEPOSIT ACCOUNT</b>  <b>A/C NO:1000182385</b>  <b>BANK RECONCILIATION STATEMENT</b>  <b>FOR THE MONTH OF JUNE 2022</b></p>			
			<b>Kes</b>
	Balance as per Bank statement		36,678,200.95
<b>Less:</b>			
1	Payments in Cash Book not yet recorded in Bank statement (unpre-sented Cheques) (Schedule 1)		
2	Receipts in Bank statement not yet recorded in Cash book		
<b>Add:</b>			
3	Payments in Bank statement not yet recorded in Cash book		
4	Receipts in Cash Book not yet recorded in Bank statement (Schedule 2)		
5	Balance as per Cash book		36,678,200.95
	<b>Prepared by:</b>		
	Name	Signature	Designation
	Roy Muthomi		Accell
			Date
			10/7/2022
	<b>Verified by:</b>		
	I certify that I have verified Bank balance in the cash book with the Bank statement and that the above reconciliation is correct.		
	Name	Signature	Designat Date
	Heathie		
			10/7/2022
	<b>Approved by</b>		
	Name	Signature	Designat Date
	Joseph		
			10/7/22

2	15-Jul-22	15-Jul-22	15-Jul-22	FT2219617	TRFS Payments	0	119,328.00	36,678,200.95
					Withholding Tax			
					Totals	0	16,375,222.00	36,678,200.95



## Budget Execution by Heads and Programmes

Entity: 2141-National Gender and Equality Commission

Period: JUL-21 To JUN-22

Head	Program	Description	Approved Budget	Actual Payments	Variance
0000000000		Default Value ( Non-Departmental)	0.00	0.00	0.00
	0000000000	Default - Non Programmatic	0.00	0.00	0.00
2141000100		Headquarters Administrative Services	277,272,737.00	274,011,950.55	3,260,786.45
	0000000000	Default - Non Programmatic	0.00	(219,117.45)	219,117.45
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	277,272,737.00	274,231,068.00	3,041,669.00
2141000200		Field Services	162,489,844.00	158,365,448.50	4,124,395.50
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	162,489,844.00	158,365,448.50	4,124,395.50
2141100100		Integrating Gender in Peace Building and Conflict Management	0.00	0.00	0.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	0.00	0.00	0.00
2141100200			0.00	9.00	0.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	0.00	0.00	0.00
2141100300			0.00	0.00	0.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	0.00	0.00	0.00
2141100400		Agency of Disabled & Their networks to Fight Against Corruption	10,131,000.00	0.00	10,131,000.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	10,131,000.00	0.00	10,131,000.00
		<b>Grand Total</b>	<b>449,893,581.00</b>	<b>432,377,399.05</b>	<b>17,516,181.95</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_



## Budget Execution by Heads and Programmes

Entity: 2141-National Gender and Equality Commission

Period: JUL-21 To JUN-22

Head	Program	Description	Approved Budget	Actual Payments	Variance
0000000000		Default Value ( Non-Departmental)	0.00	0.00	0.00
	0000000000	Default - Non Programmatic	0.00	0.00	0.00
2141000100		Headquarters Administrative Services	277,272,737.00	274,011,950.55	3,260,786.45
	0000000000	Default - Non Programmatic	0.00	(219,117.45)	219,117.45
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	277,272,737.00	274,231,068.00	3,041,669.00
2141000200		Field Services	162,489,844.00	158,365,448.50	4,124,395.50
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	162,489,844.00	158,365,448.50	4,124,395.50
2141100100		Integrating Gender in Peace Building and Conflict Management	0.00	0.00	0.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	0.00	0.00	0.00
2141100200			0.00	0.00	0.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	0.00	0.00	0.00
2141100300			0.00	0.00	0.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	0.00	0.00	0.00
2141100400		Agency of Disabled & Their networks to Fight Against Corruption	10,131,000.00	0.00	10,131,000.00
	0621000000	Promotion of Gender Equality and Freedom from Discrimination	10,131,000.00	0.00	10,131,000.00
		<b>Grand Total</b>	<b>449,893,581.00</b>	<b>422,377,399.05</b>	<b>17,516,181.95</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_



## Budget Execution by Programme and Economic Classification

Entity: 2141-National Gender and Equality Commission

Period: JUL-21 To JUN-22

Program	Item	Description	Approved Budget	Actual Payments	Variance
0000000000		Default - Non Programmatic	0.00	(219,117.45)	219,117.45
	2210000	Goods and Services	0.00	(219,117.45)	219,117.45
	2990000	System Required Expense A/cs	0.00	0.00	0.00
0621000000		Promotion of Gender Equality and Freedom from Discrimination	449,893,581.00	432,596,516.50	17,297,064.50
	2110000	Wages and Salary Contributions	219,470,726.00	215,083,043.00	4,387,683.00
	2120000	Social Contributions	22,389,274.00	21,980,965.90	408,308.10
	2210000	Goods and Services	173,542,032.00	163,557,777.30	9,984,254.70
	2220000	Routine Maintenance	4,900,001.00	4,262,807.30	637,193.70
	2710000	Social Security Benefits	7,500,000.00	7,500,000.00	0.00
	3110000	Acquisition of Fixed Capital Assets	22,091,548.00	20,211,923.00	1,879,625.00
		<b>Grand Total</b>	<b>449,893,581.00</b>	<b>432,377,399.05</b>	<b>17,516,181.95</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_



## NOTES TO THE FINANCIAL STATEMENTS

Entity: 2141-National Gender and Equality Commission

Current Period: JUL-21 To JUN-22

Compare With: JUL-20 To JUN-21

## 1 Tax Receipts

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Taxes on Income, Profits and Capital Gains	1110000	0.00	0.00
Taxes on Payroll and Workforce	1120000	0.00	0.00
Taxes on Property	1130000	0.00	0.00
Taxes on Goods and Services	1140000	0.00	0.00
Taxes on International Trade and Transactions	1150000	0.00	0.00
Other Taxes (not elsewhere classified)	1160000	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

## 2 Social Security Contribution

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Health Insurance Contribution	1210100	0.00	0.00
NHIF Health Insurance Contributions	1210200	0.00	0.00
Contributions from Govt. Employees for Social & Welfare Schemes	1210300	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

## 3 Proceeds from Domestic and Foreign Grants

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Grants from Foreign Governments	1110000	0.00	0.00
Grants from International Organisations	1120000	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

## 4 Exchequer releases

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Exchequer Releases/ Provisioning Account for Q1	9910201	76,422,387.85	54,235,645.05
Exchequer Releases/ Provisioning Account for Q2	9910201	120,854,006.65	135,675,667.00
Exchequer Releases/ Provisioning Account for Q3	9910201	78,909,171.65	64,375,458.40
Exchequer Releases/ Provisioning Account for Q4	9910201	158,192,503.50	94,171,935.25
<b>TOTAL</b>		<b>432,378,069.65</b>	<b>353,439,706.70</b>

## 5 Transfers from Other Government Entities

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Grants received by Central Govt from General Govt units	1330100	0.00	0.00
Grants Received from General Govt units by Local Authorities	1330200	0.00	0.00
Grants to Fund Accounts from Central Govt Budget	1330300	0.00	0.00
Grants to other General Govt units from General Govt units	1330400	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

## 6 Proceeds from Domestic Borrowings

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Borrowing within General Government	5110100	0.00	0.00
Borrowing from Monetary Authorities (Central Bank)	5110200	0.00	0.00
Other Domestic Depository Corporations (Commercial Banks)	5110300	0.00	0.00
Borrowing from Other Domestic Financial Institutions	5110400	0.00	0.00
Borrowing from Other Domestic Creditors	5110500	0.00	0.00
Domestic Currency and Deposit	5110600	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**7 Proceeds from Foreign Borrowings**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Foreign Borrowings - Drawdowns through Exchequer	5120100	0.00	0.00
Foreign Borrowing-Direct Payments	5120200	0.00	0.00
Foreign Currency and Foreign Deposits	5120300	0.00	0.00
Other Foreign Accounts Payable	5120400	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**8 Proceeds from Sales of Assets**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Receipts from the Sale of Buildings - Paid to Exchequer	3510100	0.00	0.00
Receipts from the Sale of Buildings	3510200	0.00	0.00
Receipts from sale of other st	3510300	0.00	0.00
Receipts from sale of other st	3510400	0.00	0.00
Receipts from the Sale of Vehicles and Transport Equipment - Paid to Exchequer	3510500	0.00	0.00
Receipts from the Sale of Vehicles and Transport Equipment	3510600	0.00	0.00
Receipts from the Sale of Plant Machinery and Equipment - Paid to Exchequer	3510700	0.00	0.00
Receipts from the Sale Plant Machinery and Equipment	3510800	0.00	0.00
Receipts from Sale of Certified Seeds and Breeding Stock - Paid to Exchequer	3510900	0.00	0.00
Receipts from Sale of Certified Seeds and Breeding Stock	3511000	0.00	0.00
Receipts from the Sale of Strategic Reserves Stocks	3520100	0.00	0.00
Receipts from the Sale of Other Inventories, Stocks, and Commodities	3520200	0.00	0.00
Receipts from the Sale of Inventories, Stocks and Commodities	3520300	0.00	0.00
Receipts from the Sale of Land	3540100	0.00	0.00
Receipts from the Sale of Other Naturally Occurring Non-Produced Assets	3540200	0.00	0.00
Receipts from the Sale of Intangible Non-Produced Assets	3540300	0.00	0.00
Receipts from the Sale of Non-Produced Assets Collected as AIA	3540400	0.00	0.00
Repayments from Loans to Government Agencies and Other Levels of Government	4510100	0.00	0.00
Loans to Non-Financial Public Enterprises	4510200	0.00	0.00
Loans to Financial Institutions	4510300	0.00	0.00
Repayments from Domestic Loans to Individuals and Households	4510400	0.00	0.00
Repayments from lending to Foreign Govts.	4520100	0.00	0.00
Repayments from lending to International Orgns.	4520200	0.00	0.00
Repayments from lending to Foreign Non - Financial Enterpr. & Financial Instns.	4520300	0.00	0.00
Repayments from Other Foreign Lending	4520400	0.00	0.00
Sales and Disposals of Equity Holdings in Domestic Public Non - Financial Enterprises	4530100	0.00	0.00
Sales and Disposals of Equity Holdings in Domestic Public Financial Institutions	4530200	0.00	0.00
Sales and Disposals of Other Equity Holdings	4530300	0.00	0.00
Sales and Disposals of Equity Holdings in Foreign Financial Instns. and Domestic Financial Instns. operating abroad	4530400	0.00	0.00
Sales and Disposals of Equity Holdings in Foreign Enterpr. Financial Instns. and Domestic Financial Instns. operating abroad	4530500	0.00	0.00
Redemption/ Disposal of Other Financial Assets	4530600	0.00	0.00
Refund of Bonds paid as Deposits for Guarantees	4530700	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**9 Reimbursements and Refunds**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Refund from World Food Programme (WFP)	4540101	0.00	0.00
Reimbursement of Audit Fees	4540102	0.00	0.00
Reimbursement on Messing Charges (UNICEF)	4540103	0.00	0.00
Reimbursement from World Bank - ECD	4540104	0.00	0.00

Item Description	Item Code	Current Period	Previous Period
Reimbursement from Individuals and Private Organizations	4540105	0.00	0.00
Reimbursement from Local Government Authorities	4540106	0.00	0.00
Reimbursement from Statutory Organizations	4540107	0.00	0.00
Reimbursement within Central Government	4540108	0.00	0.00
Reimbursement Using Bonds	4540109	0.00	0.00
Reimbursements and Refunds - Other (Budget)	4540199	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**10 Returns of Equity Holdings**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Returns of Equity Holdings	4550000	0.00	0.00
Returns of Equity Holdings	4610000	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**11 Other Receipts**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Interest Received	1410100	0.00	0.00
Profits and Dividends	1410200	0.00	0.00
Withdrawals from Income of Quasi-corporations	1410300	0.00	0.00
Rents on land, houses and buildings	1410400	0.00	0.00
Other Property Income collected as AIA	1410500	0.00	0.00
	1415000	0.00	0.00
Sales of Market Establishment	1420100	0.00	0.00
Administrative Fees and Charges	1420200	0.00	0.00
Administrative Fees and Charges collected as AIA	1420300	0.00	0.00
Incidental Sales by Non-Market Establishments	1420400	0.00	0.00
Incidental Sales by Non-Market Establishments Collected as AIA	1420500	0.00	0.00
Receipts from Sale of Incidental Goods	1420600	0.00	0.00
Fines, Penalties, Forfeitures and Other Charges	1430100	0.00	0.00
Current Grants from International NGOs paid through Exchequer	1440100	0.00	0.00
Capital Grants from International NGOs paid through Exchequer	1440200	0.00	0.00
Current Grants from International NGOs collected as AIA	1440300	0.00	0.00
Capital Grants from International NGOs collected as AIA	1440400	0.00	0.00
Other Voluntary Transfers for Current purposes	1440500	0.00	0.00
Other Voluntary Transfers for Capital purposes	1440600	0.00	0.00
Paid to Exchequer	1450100	0.00	0.00
Receipts Not Classified Elsewhere	1450200	0.00	0.00
	1510200	0.00	0.00
	1510300	0.00	0.00
	1520100	0.00	0.00
Business Permits	1520200	0.00	0.00
Cesses	1520300	0.00	0.00
Poll Rates	1520400	0.00	0.00
Plot Rents	1520500	0.00	0.00
Other Local Levies	1520600	0.00	0.00
Administrative Services Fees	1530100	0.00	0.00
Various Fees	1530200	0.00	0.00
Council's Natural Resources Exploitation	1530300	0.00	0.00
Sales Of Council Assets	1530400	0.00	0.00
Lease / Rental Of Council's Infrastructure Assets	1530500	0.00	0.00
Other Miscellaneous Revenues	1530600	0.00	0.00
Other Miscellaneous Revenues	1540100	0.00	0.00
Insurance Claims Recovery	1540200	0.00	0.00
Medium Term Loans (1-3 Yr Repayment)	1540300	0.00	0.00
Long Term Loans (Over 3 Yr Rpayment)	1540400	0.00	0.00
Transfers From Reserve Funds	1540500	0.00	0.00
Donations	1540600	0.00	0.00
Fund Raising Events	1540700	0.00	0.00
Other Revenues From Financial Assets Loan	1540800	0.00	0.00
	1541000	0.00	0.00
Market/Trade Centre Fee	1550100	0.00	0.00
Vehicle Parking Fees	1550200	0.00	0.00
Housing	1560100	0.00	0.00
Social Premises Use Charges	1560200	0.00	0.00
School Fees	1570100	0.00	0.00
Other Education-Related Fees	1570200	0.00	0.00

**16 Other Grants and Transfers**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Grants and Transfers to Foreign Governments	2610100	0.00	0.00
Membership Fees and Dues and Subscriptions to International Organizations	2620100	0.00	0.00
Membership Fees and Dues and Subscriptions to International Organizations (Continued)	2620200	0.00	0.00
Scholarships and other Educational Benefits	2640100	0.00	0.00
Emergency Relief and Refugee Assistance	2640200	0.00	0.00
Grants to Small Businesses, Cooperatives, and Self Employed	2640300	0.00	0.00
	2649900	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**17 Social Security Benefits**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Government Pension and Retirement Benefits	2710100	7,500,000.00	7,000,000.00
Social Security Benefits	2710200	0.00	0.00
Employer Social Benefits	2710300	0.00	0.00
Refund of Pension to UK Government	2720100	0.00	0.00
Refund of Contributions to WCPS and other Ex-Gratia	2720200	0.00	0.00
<b>TOTAL</b>		<b>7,500,000.00</b>	<b>7,000,000.00</b>

**18 Acquisition of Assets**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Purchase of Buildings	3110100	0.00	0.00
Construction of Building	3110200	0.00	0.00
Refurbishment of Buildings	3110300	1,193,280.00	1,750,404.50
Construction of Roads	3110400	0.00	0.00
Construction and Civil Works	3110500	0.00	0.00
Overhaul and Refurbishment of Construction and Civil Works	3110600	0.00	0.00
Purchase of Vehicles and Other Transport Equipment	3110700	11,402,000.00	0.00
Overhaul of Vehicles and Other Transport Equipment	3110800	0.00	0.00
Purchase of Household Furniture and Institutional Equipment	3110900	0.00	0.00
Purchase of Office Furniture and General Equipment	3111000	7,616,643.00	1,630,024.00
Purchase of Specialised Plant, Equipment and Machinery	3111100	0.00	0.00
Rehabilitation and Renovation of Plant, Machinery and Equipment	3111200	0.00	0.00
Purchase of Cattle, Poultry, Fish, and Live Animals	3111300	0.00	0.00
Research, Feasibility Studies, Project Preparation and Design, Project Supervision	3111400	0.00	0.00
Rehabilitation of Civil Works	3111500	0.00	0.00
Purchase of Specialised Plant	3112200	0.00	0.00
Acquisition of Strategic Stocks	3120100	0.00	0.00
Acquisition of Other Inventory	3120200	0.00	0.00
Acquisition of Land	3130100	0.00	0.00
Acquisition of Other Intangible Assets	3130200	0.00	0.00
Domestic Lending and On-lending	4110000	0.00	0.00
Domestic Equity Participation	4120000	0.00	0.00
Other Domestic Accounts Receivable	4130000	0.00	0.00
Foreign Lending and On-Lending	4140000	0.00	0.00
Foreign Equity Participation	4150000	0.00	0.00
Other Foreign Accounts Receivable	4160000	0.00	0.00
<b>TOTAL</b>		<b>20,211,923.00</b>	<b>3,380,428.50</b>

**19 Finance Costs, including Loan Interest**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Interest Payments on Foreign Borrowing	2410100	0.00	0.00
Interest Payments on Guaranteed Debt	2410200	0.00	0.00
Interest on Domestic Borrowing	2420000	0.00	0.00
Interest on Borrowing From Other Government Units	2430000	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

20 Repayment of Principal on Domestic and Foreign Borrowing

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Repayments on Borrowings from General Government	5510100	0.00	0.00
Repayments on Borrowings from Monetary Authorities (Central Bank)	5510200	0.00	0.00
Repayments on Borrowings from Other Domestic Depository Corporations (Commercial Banks)	5510300	0.00	0.00
Repayments on Borrowings from Other Domestic Financial Institutions	5510400	0.00	0.00
Repayments on Borrowings from Other Domestic Creditors	5510500	0.00	0.00
Principal Repayments on Foreign Borrowing	5510600	0.00	0.00
Principal Repayments on Guaranteed Debt Taken over by Government	5520000	0.00	0.00
Principal Repayments on Guaranteed Domestic Debt Taken over by Government	5520100	0.00	0.00
Principal Repayments on Guaranteed Foreign Debt Taken over by Government	5520200	0.00	0.00
Repayments on Borrowings from Other Domestic Creditors	5610000	0.00	0.00
Repayments on Borrowings from Other Domestic Creditors - Private Enterprises	5610500	0.00	0.00
	5620000	0.00	0.00
Repayments on Borrowings from Other Domestic Creditors - Public Enterprises	5620100	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

21 Other payments

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Budget Reserves	2810100	0.00	0.00
Civil Contingency Reserves	2810200	0.00	0.00
Capital Transfer to Non Financial Public Enterprises	2820100	0.00	0.00
Capital Transfer to Public Financial Institutions and Enterprises	2820200	0.00	0.00
Capital Transfer to Private Non-Financial Enterprises	2820300	0.00	0.00
System Required Expenses	2990100	0.00	0.00
	2999900	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

22A Bank Balances

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Special Accounts	6510000	0.00	0.00
Treasury Bank Accounts (Exchequer and CRF Accounts)	6520000	0.00	0.00
Recurrent Bank Accounts	6530000	672.50	131,881.00
Development Bank Accounts	6540000	10,766,900.00	10,766,900.00
Deposit Bank Account	6550000	36,678,200.95	13,940,472.50
Project Specific Bank Accounts	6570000	0.00	0.00
Foreign Currency and Foreign D	6590101	0.00	0.00
Foreign Currency and Foreign D	6590203	0.00	0.00
<b>TOTAL</b>		<b>47,445,773.45</b>	<b>24,839,253.50</b>

22B Cash Balances

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Cash in Hand	6580000	16,375,222.00	0.00
Foreign Currency and Foreign D	6590201	0.00	0.00
<b>TOTAL</b>		<b>16,375,222.00</b>	<b>0.00</b>

23 Accounts Receivables - Outstanding Imprest and Clearance Accounts

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Domestic Debtors & Advances	6710000	0.00	0.00
Debtors & Advances - Govt Owne	6720000	0.00	0.00
Foreign Debtors & Advances	6730000	0.00	0.00
Other Debtors & Pre-payments	6740000	0.00	0.00
Government Imprests	6760000	0.00	0.00

Item Description	Item Code	Current Period	Previous Period
Other Education Revenues	1570300	0.00	0.00
Public Health Services	1580100	0.00	0.00
Public Health Facilities Operations	1580200	0.00	0.00
Environment & Conservancy Administration	1580300	0.00	0.00
Slaughter Houses Administration	1580400	0.00	0.00
Water Supply Administration	1580500	0.00	0.00
Sewerage Administration	1580600	0.00	0.00
Other Health & Sanitation Revenues	1580700	0.00	0.00
Technical Services Fees	1590100	0.00	0.00
External Services Fees	1590200	0.00	0.00
	1930100	0.00	0.00
System Required Revenue A/cs	1990100	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**12 Compensation of Employees**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Basic Salaries - Permanent Employees	2110100	139,206,435.45	127,557,002.45
Basic Wages - Temporary Employees	2110200	0.00	0.00
Personal Allowances paid as part of Salary	2110300	75,876,607.55	73,590,265.05
Personal Allowances paid as Reimbursements	2110400	0.00	0.00
Personal Allowances provided in Kind	2110500	0.00	0.00
Employer Contributions to Compulsory National Social Security Schemes	2120100	21,980,965.90	21,045,365.00
Employer Contributions to Compulsory Health Insurance Schemes	2120200	0.00	0.00
Social Benefit Schemes Outside Government	2120300	0.00	0.00
<b>TOTAL</b>		<b>237,064,008.90</b>	<b>222,192,632.50</b>

**13 Use of goods and Services**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Utilities, Supplies and Services	2210100	2,398,850.45	874,586.30
Communication, Supplies and Services	2210200	5,393,524.95	4,055,594.30
Domestic Travel and Subsistence, and Other Transportation Costs	2210300	18,482,878.55	13,648,265.00
Foreign Travel and Subsistence, and other transportation costs	2210400	6,000,000.00	2,022,134.00
Printing, Advertising and Information Supplies and Services	2210500	7,150,582.65	2,234,336.70
Rentals of Produced Assets	2210600	41,883,860.50	41,088,212.35
Training Expenses	2210700	9,042,763.00	3,798,692.00
Hospitality Supplies and Services	2210800	4,215,284.00	1,900,996.00
Insurance Costs	2210900	36,157,393.95	34,638,528.00
Specialized Materials and Supplies	2211000	192,000.00	207,200.00
Office and General Supplies and Services	2211100	3,465,320.50	1,924,818.75
Fuel Oil and Lubricants	2211200	3,753,246.10	3,393,851.00
Other Operating Expenses	2211300	25,201,955.20	7,745,391.75
Routine Maintenance - Vehicles	2220100	3,431,145.30	1,857,902.70
Routine Maintenance - Other Assets	2220200	831,662.00	1,258,754.00
Exchange Rate Losses	2230100	0.00	0.00
<b>TOTAL</b>		<b>167,601,467.15</b>	<b>120,724,762.85</b>

**14 Subsidies**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Subsidies to Public Corporations	2510000	0.00	0.00
Subsidies to Private Enterprises	2520000	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**15 Transfers to Other Government Units**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Current Grants to Government Agencies and other Levels of Government	2530100	0.00	0.00
Capital Grants to Government Agencies and other Levels of Government	2630200	0.00	0.00
Other Current Transfers, Grants and Subsidies	2640400	0.00	0.00
Other Capital Grants and Transfers	2640500	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

Item Description	Item Code	Current Period	Previous Period
Agency Accounts	6770000	0.00	0.00
Suspense & Clearance Account	6780000	0.00	0.00
Other Current Assets (System r	6790000	0.00	0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>

**24. ACCOUNTS PAYABLE**

Item Description	Item code	Current Period	Previous Period
		Kshs	Kshs
Withholding Taxes	7380000	35,798.40	0.00
Deposits	7310000	60,341,163.40	13,847,541.40
Other General Liabilities	7330000	(7,287,740.40)	0.00
System Required Liabilities A/cs	7390000	(35,798.40)	0.00
Other Liabilities	7320000	0.00	92,929.25
Revolving Funds	7350000	0.00	0.00
<b>TOTAL</b>		<b>53,053,423.00</b>	<b>13,940,470.65</b>

**25. FUND BALANCES BROUGHT FORWARD**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Opening Balance Bank	22A	24,839,253.50	21,061,595.00
Opening Balance Cash	22B	0.00	0.00
Opening Balance Receivables - Imprest and Clearance Accounts	23	0.00	0.00
Opening Balance - Deposits	24	(13,940,470.65)	(10,078,206.00)
<b>TOTAL</b>		<b>10,898,782.85</b>	<b>10,983,389.00</b>

**26. PRIOR YEAR ADJUSTMENTS**

Item Description	Item Code	Current Period	Previous Period
		Kshs	Kshs
Executive Provisions:	9910200	131,681.00	216,489.00
County Transfers	9910300	0.00	0.00
<b>TOTAL</b>		<b>131,681.00</b>	<b>216,489.00</b>



## Statement of Financial Position

Entity: 2141-National Gender and Equality Commission

Current Period: JUL-21 To JUN-22

Compare With: JUL-20 To JUN-21

	Note	Current Period	Previous Period
		Kshs	Kshs
<b>FINANCIAL ASSETS</b>			
<b>Cash and Cash Equivalents</b>			
Bank Balances	22A	47,445,773.45	24,839,253.50
Cash Balances	22B	16,375,222.00	0.00
<b>Total Cash And Cash Equivalents</b>		<b>63,820,995.45</b>	<b>24,839,253.50</b>
Accounts Receivables - Outstanding Imprest and Clearance Accounts	23	0.00	0.00
<b>TOTAL FINANCIAL ASSETS</b>		<b>63,820,995.45</b>	<b>24,839,253.50</b>
<b>Financial Liabilities</b>			
Accounts Payables - Deposits	24	53,053,423.00	13,940,470.65
<b>NET FINANCIAL ASSETS</b>		<b>10,767,572.45</b>	<b>10,898,782.85</b>
<b>REPRESENTED BY</b>			
Fund Balance b/fwd	25	10,998,782.85	10,983,389.00
Prior Year Adjustment	26	(131,861.00)	(216,489.00)
Surplus/Deficit for the Year		670.60	131,882.85
<b>NET FINANCIAL POSITION</b>		<b>10,767,572.45</b>	<b>10,898,782.85</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_



**Budget Execution By Programmes and Sub-Programmes**

Entity: 2141-National Gender and Equality Commission

Period: JUL-21 To JUN-22

Program	Sub Program	Description	Approved Budget	Actual Payments	Variance
0000000000		Default - Non Programmatic	0.00	(219,117.45)	219,117.45
	0000000000	Default - Non Programmatic	0.00	(219,117.45)	219,117.45
0621000000		Promotion of Gender Equality and Freedom from Discrimination	449,893,581.00	432,596,516.50	17,297,064.50
	0621010000	Legal Compliance and Redress	30,304,372.00	29,218,415.75	1,085,956.25
	0621020000	Mainstreaming and Coordination	10,843,125.00	10,424,281.70	418,843.30
	0621030000	Public Education, Advocacy, And Research	26,765,405.00	16,079,160.05	10,686,244.95
	0621040000	General Administration Planning and Support Services	381,980,679.00	376,874,659.00	5,106,020.00
<b>Grand Total</b>			<b>449,893,581.00</b>	<b>432,377,399.05</b>	<b>17,516,181.95</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

Account No and Description	Current Period		Previous period	
	Debit	Credit	Debit	Credit
Employees				
6710000 Domestic Debtors & Advances	0.00	0.00	0.00	0.00
6740100 Other Debtors & Pre-payments	0.00	0.00	0.00	0.00
6740000 Other Debtors & Pre-payments	0.00	0.00	0.00	0.00
6760100 Imprests	0.00	0.00	0.00	0.00
6760000 Government Imprests	0.00	0.00	0.00	0.00
6780100 Suspense & Clearance Account	0.00	0.00	0.00	0.00
6780000 Suspense & Clearance Account	0.00	0.00	0.00	0.00
6790100 Other Current System A/c's	0.00	0.00	0.00	0.00
6790000 Other Current Assets (System r	0.00	0.00	0.00	0.00
7310100 General Deposits Items	0.00	60,341,163.40	0.00	13,847,541.40
7310000 Deposits	0.00	60,341,163.40	0.00	13,847,541.40
7320000 Other Liabilities	5,400,383.75	5,400,383.75	5,400,383.75	5,400,383.75
7320100 Salary Deductions	0.00	0.00	0.00	92,929.25
7320200 Other General Liabilities	0.00	0.00	0.00	0.00
7320000 Other Liabilities	5,400,383.75	5,400,383.75	5,400,383.75	5,493,313.00
7330100	7,287,740.40	0.00	0.00	0.00
7330000 Other General Liabilities	7,287,740.40	0.00	0.00	0.00
7350100	0.00	0.00	0.00	0.00
7350000 Revolving Funds	0.00	0.00	0.00	0.00
7380100	0.00	35,798.40	0.00	0.00
7380000 Withholding Taxes	0.00	35,798.40	0.00	0.00
7390100 System Required Liabilities	35,798.40	0.00	0.00	0.00
7399900	0.00	0.00	0.00	0.00
7390000 System Required Liabilities A/c's	35,798.40	0.00	0.00	0.00
9910100 General Provisions	0.00	0.00	0.00	0.00
9910200 Exchequer Provisions	22,244,786.30	2,812,519,538.40	22,112,905.30	2,380,141,468.75
9910000 Provisions	22,244,786.30	2,812,519,538.40	22,112,905.30	2,380,141,468.75
9990100 Opening Balance Bank	0.00	18,235,418.00	0.00	18,235,418.00
9990400 Opening Balance - Deposits	2,546,040.00	0.00	2,546,040.00	0.00
9999900	2,362,519,158.60	0.00	2,009,511,334.75	0.00
9990000 Opening Balance Reserves	2,365,565,158.60	18,235,418.00	2,012,157,374.75	18,235,418.00
<b>Total</b>	<b>478,906,817.55</b>	<b>478,906,817.55</b>	<b>2,878,687,520.90</b>	<b>2,888,687,520.90</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_



## STATEMENT OF RECEIPTS AND PAYMENTS

Entity: 2141-National Gender and Equality Commission

Current Period: JUL-21 To JUN-22

Compare With: JUL-20 To JUN-21

	Note	Current Period	Previous Period
<b>RECEIPTS</b>			
Tax Receipts	1	0.00	0.00
Social Security Contribution	2	0.00	0.00
Proceeds from Domestic and Foreign Grants	3	0.00	0.00
Exchequer releases	4	432,378,069.65	353,439,706.70
Transfers from Other Government Entities	5	0.00	0.00
Proceeds from Domestic Borrowings	6	0.00	0.00
Proceeds from Foreign Borrowings	7	0.00	0.00
Proceeds from Sales of Assets	8	0.00	0.00
Reimbursements and Refunds	9	0.00	0.00
Returns of Equity Holdings	10	0.00	0.00
Other Receipts	11	0.00	0.00
<b>TOTAL RECEIPTS</b>		<b>432,378,069.65</b>	<b>353,439,706.70</b>
<b>PAYMENTS</b>			
Compensation of Employees	12	237,064,008.90	222,192,632.50
Use of goods and Services	13	167,601,467.15	120,734,762.85
Subsidies	14	0.00	0.00
Transfers to Other Government Units	15	0.00	0.00
Other Grants and Transfers	16	0.00	0.00
Social Security Benefits	17	7,500,000.00	7,000,000.00
Acquisition of Assets	18	20,211,923.00	3,380,428.50
Finance Costs, including Loan Interest	19	0.00	0.00
Repayment of Principal on Domestic and Foreign Borrowing	20	0.00	0.00
Other payments	21	0.00	0.00
<b>TOTAL PAYMENTS</b>		<b>432,377,399.05</b>	<b>353,307,823.65</b>
<b>SURPLUS/DEFICIT</b>		<b>670.60</b>	<b>131,882.65</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_



**Trial Balance**

Entity: 2141-National Gender and Equality Commission

Current Period: JUL-21 To JUN-22

Compare With: JUL-20 To ADJ2-21

Account No and Description	Current Period		Previous period	
	Debit Kshs	Credit Kshs	Debit Kshs	Credit Kshs
1320200 Grants from International Organizations - Direct Payments AIA	0.00	0.00	0.00	0.00
<b>1320000 Grants from International Organisations</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1420200 Administrative Fees and Charges	0.00	0.00	0.00	0.00
<b>1420000 Sales of Goods and Services</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2110100 Basic Salaries - Permanent Employees	139,206,435.45	0.00	127,557,002.45	0.00
2110200 Basic Wages - Temporary Employees	0.00	0.00	0.00	0.00
2110300 Personal Allowances paid as part of Salary	75,876,607.55	0.00	73,590,265.05	0.00
<b>2110000 Wages and Salary Contributions</b>	<b>215,083,043.00</b>	<b>0.00</b>	<b>201,147,267.50</b>	<b>0.00</b>
2120100 Employer Contributions to Compulsory National Social Security Schemes	21,980,965.90	0.00	-21,045,365.00	0.00
<b>2120000 Social Contributions</b>	<b>21,980,965.90</b>	<b>0.00</b>	<b>21,045,365.00</b>	<b>0.00</b>
2210100 Utilities, Supplies and Services	2,398,850.45	0.00	874,586.30	0.00
2210200 Communication, Supplies and Services	5,393,524.95	0.00	4,095,584.30	0.00
2210300 Domestic Travel and Subsistence, and Other Transportation Costs	18,482,878.55	0.00	13,653,265.00	5,000.00
2210400 Foreign Travel and Subsistence, and other transportation costs	6,000,000.00	0.00	2,082,124.00	0.00
2210500 Printing, Advertising and Information Supplies and Services	7,150,582.65	0.00	2,294,336.70	0.00
2210600 Rentals of Produced Assets	41,883,860.50	0.00	41,088,212.35	0.00
2210700 Training Expenses	9,042,763.00	0.00	3,798,692.00	0.00
2210800 Hospitality Supplies and Services	4,215,284.00	0.00	1,900,996.00	0.00
2210900 Insurance Costs	36,157,393.95	0.00	34,638,528.00	0.00
2211000 Specialised Materials and Supplies	192,000.00	0.00	202,200.00	0.00
2211100 Office and General Supplies and Services	3,466,320.50	0.00	1,924,818.75	0.00
2211200 Fuel Oil and Lubricants	3,753,246.10	0.00	3,383,851.00	0.00
2211300 Other Operating Expenses	25,201,955.20	0.00	7,745,891.75	0.00
<b>2210000 Goods and Services</b>	<b>163,338,659.85</b>	<b>0.00</b>	<b>117,623,166.15</b>	<b>5,000.00</b>
2220100 Routine Maintenance - Vehicles	3,431,145.30	0.00	1,857,902.70	0.00
2220200 Routine Maintenance - Other Assets	831,662.00	0.00	1,256,754.00	0.00
<b>2220000 Routine Maintenance</b>	<b>4,262,807.30</b>	<b>0.00</b>	<b>3,116,656.70</b>	<b>0.00</b>
2710100 Government Pension and Retirement Benefits	7,500,000.00	0.00	7,000,000.00	0.00
<b>2710000 Social Security Benefits</b>	<b>7,500,000.00</b>	<b>0.00</b>	<b>7,000,000.00</b>	<b>0.00</b>
3110300 Refurbishment of Buildings	1,193,280.00	0.00	1,750,404.50	0.00
3110700 Purchase of Vehicles and Other Transport Equipment	11,402,000.00	0.00	0.00	0.00
3111000 Purchase of Office Furniture and General Equipment	7,616,643.00	0.00	1,630,024.00	0.00
3111400 Research, Feasibility Studies, Project Preparation and Design, Project Supervision	0.00	0.00	0.00	0.00
<b>3110000 Acquisition of Fixed Capital Assets</b>	<b>20,211,923.00</b>	<b>0.00</b>	<b>3,380,428.50</b>	<b>0.00</b>
6530100 Recurrent Bank Accounts	672.50	0.00	131,881.00	0.00
<b>6530000 Recurrent Bank Accounts</b>	<b>672.50</b>	<b>0.00</b>	<b>131,881.00</b>	<b>0.00</b>
6540100 Development Bank Accounts	10,766,900.00	0.00	10,766,900.00	0.00
<b>6540000 Development Bank Accounts</b>	<b>10,766,900.00</b>	<b>0.00</b>	<b>10,766,900.00</b>	<b>0.00</b>
6550100 Deposit Bank Accounts	36,678,200.95	0.00	13,940,472.50	0.00
<b>6550000 Deposit Bank Account</b>	<b>36,678,200.95</b>	<b>0.00</b>	<b>13,940,472.50</b>	<b>0.00</b>
6580100 Cash in Hand	16,449,368.00	74,146.00	0.00	0.00
<b>6580000 Cash in Hand</b>	<b>16,449,368.00</b>	<b>74,146.00</b>	<b>0.00</b>	<b>0.00</b>
6710100 Debtors & Advances -	0.00	0.00	0.00	0.00



**SUMMARY STATEMENT OF DEPOSITS**

Entity: 2141-National Gender and Equality Commission

Current Period: JUL-21 To JUN-22

Compare With: JUL-20 To JUN-21

Economic Item	6550101 - Ministry HQ Deposit Bank A/C	
	Current Period	Previous Period
Opening Balance	13,940,472.50	10,171,137.00
Transfers of retentions during the year	31,330,040.05	10,844,427.00
Payments made out of deposit account during the year	8,592,311.60	7,075,091.50
Closing Balance	36,678,200.95	13,940,472.50
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="236 875 435 927">Principal Secretary Controller</div> <div data-bbox="1040 889 1244 922">Principal Accounts</div> </div>		

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

Trial Balance Comparison Report				
Entity: 2141-National Gender and Equality Commission				
Current Period: JUL-21 To JUN-22				
Compare With: JUL-20 To ADJ2-21				
Account No and Description	Current Period		Previous period	
	Debit Balance	Credit Balance	Debit Balance	Credit Balance
	Kshs	Kshs	Kshs	Kshs
2110100 Basic Salaries - Permanent Employees	139,206,435	-	127,557,002	-
2110300 Personal Allowances paid as part of Salary	75,876,608	-	73,590,265	-
2120000 Social Contributions	21,980,966	-	21,045,365	-
2210100 Utilities, Supplies and Services	2,398,850	-	874,586	-
2210200 Communication, Supplies and Services	5,393,525	-	4,095,594	-
2210300 Domestic Travel and Subsistence, and Other Transportation Costs	18,482,879	-	13,648,265	-
2210400 Foreign Travel and Subsistence, and other transportation costs	6,000,000	-	2,082,134	-
2210500 Printing , Advertising and Information Supplies and Services	7,150,583	-	2,234,337	-
2210600 Rentals of Produced Assets	41,883,861	-	41,088,212	-
2210700 Training Expenses	9,042,763	-	3,798,692	-
2210800 Hospitality Supplies and Servi	4,215,284	-	1,900,996	-
2210900 Insurance Costs	36,157,394	-	34,638,528	-
2211000 Specialised Materials and Supp	182,840	-	202,200	-
2211100 Office and General Supplies and Services	3,475,481	-	1,924,819	-
2211200 Fuel Oil and Lubricants	3,753,246	-	3,383,851	-
2211300 Other Operating Expenses	25,201,955	-	7,745,892	-
2220100 Routine Maintenance - Vehicles	3,431,145	-	1,857,903	-
2220200 Routine Maintenance - Other Assets	831,662	-	1,258,754	-
2710000 Social Security Benefits	7,500,000	-	7,000,000	-
3110300 Refurbishment of Buildings	1,193,280	-	1,750,405	-
3110700 Purchase of Vehicles and Other Transport Equipment	11,402,000	-	-	-
3111000 Purchase of Office Furniture and General Equipment	7,616,643	-	1,630,024	-
6530101 Ministry HQ Recurrent Bank A/C	671	-	131,881	-
6540101 Ministry HQ Development Bank A	10,766,900	-	10,766,900	-
6550101 Ministry HQ Deposit Bank A/C	36,678,201	-	13,940,473	-
7310101 General Deposits	-	36,678,201	-	13,940,473
Exchequer Releases		432,378,070		353,439,706
Fund Balance B/f		10,898,780		10,983,389
Prior Year Adjustments	131,880		216,492	
	<b>479,955,051</b>	<b>479,955,051</b>	<b>378,363,569</b>	<b>378,363,569</b>

The Statement has been prepared, reviewed and approved by the following:

Prepared By: EDSON MLIASI  
 Reviewed By: Breanne J C  
 Approved By: Joseph Nduru

[Signature]  
[Signature]  
[Signature]

Date: 27/9/2022  
 Date: 27/9/2022  
 Date: 27/09/2021

Statement of Budget Execution - Recurrent Expenditure  
 Entity: 2144-National Gender and Equality Commission  
 Current Period: JUL-21 To JUN-22



	Note	Printed Estimate	Reallocation/ Transfer	Supplementary Estimates	Final Approved Estimate (Net)	Actual	Budget Utilization Differences	% of Utilization
		a	b	c	d=a+b+c	e	f=d-e	g=e/d%
<b>RECEIPTS</b>								
Tax Receipts	1	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Social Security Contribution	2	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Proceeds from Domestic and Foreign Grants	3	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Exchequer releases	4	0.00	0.00	0.00	0.00	432,378,069.65	(432,378,069.65)	0.00%
Transfers from Other Government Entities	5	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Proceeds from Domestic Borrowings	6	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Proceeds from Foreign Borrowings	7	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Proceeds from Sales of Assets	8	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Reimbursements and Refunds	9	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Returns of Equity Holdings	10	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Other Receipts	11	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
<b>Total</b>		0.00	0.00	0.00	0.00	432,378,069.65	(432,378,069.65)	0.00%
<b>PAYMENTS</b>								
Compensation of Employees	12	249,860,000.00	0.00	(8,000,000.00)	241,860,000.00	237,064,008.90	4,795,991.10	98.02%
Use of goods and Services	13	169,711,033.00	0.00	0.00	169,711,033.00	167,601,467.15	2,109,565.85	98.76%
Subsidies	14	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Transfers to Other Government Units	15	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Other Grants and Transfers	16	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Social Security Benefits	17	7,500,000.00	0.00	0.00	7,500,000.00	7,500,000.00	0.00	100.00%
Acquisition of Assets	18	9,521,549.00	0.00	11,170,000.00	20,691,548.00	20,211,923.00	479,625.00	97.68%
Finance Costs, including Loan Interest	19	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Repayment of Principal on Domestic and Foreign Borrowing	20	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Other payments	21	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
<b>Total</b>		436,592,661.00	0.00	3,170,000.00	439,762,661.00	432,377,399.05	7,385,181.95	98.32%



## STATEMENT OF CASH FLOW

Entity: 2141-National Gender and Equality Commission  
 Current Period: JUL-21 To JUN-22  
 Compare With: JUL-20 To JUN-21

	Note	Current Period	Previous Period
		Kshs	Kshs
<b>Receipts and operating income</b>			
Tax Receipts	1	0.00	0.00
Social Security Contribution	2	0.00	0.00
Proceeds from Domestic and Foreign Grants	3	0.00	0.00
Exchequer releases	4	432,378,069.65	353,439,706.70
Transfers from Other Government Entities	5	0.00	0.00
Reimbursements and Refunds	9	0.00	0.00
Returns of Equity Holdings	10	0.00	0.00
Other Receipts	11	0.00	0.00
<b>Payments for Operating Expenses</b>			
Compensation of Employees	12	237,064,008.90	222,192,632.50
Use of goods and Services	13	167,601,467.15	120,734,762.85
Subsidies	14	0.00	0.00
Transfers to Other Government Units	15	0.00	0.00
Other Grants and Transfers	16	0.00	0.00
Social Security Benefits	17	7,500,000.00	7,000,000.00
Finance Costs, including Loan Interest	19	0.00	0.00
Other payments	21	0.00	0.00
<b>Adjusted for :</b>			
Adjustments during the year		39,112,352.35	3,862,264.65
Prior year adjustments		(131,861.00)	(216,489.00)
<b>Net Cash From Operating Activities</b>	<b>A</b>	<b>59,193,664.95</b>	<b>7,158,087.00</b>
<b>Cash Flow From Investing Activities</b>			
Proceeds from Sale of Assets	8	0.00	0.00
Acquisition of Assets	18	20,211,923.00	3,380,428.50
<b>Net Cash Flow From Investing Activities</b>	<b>B</b>	<b>(20,211,923.00)</b>	<b>(3,380,428.50)</b>
<b>Cash Flow From Borrowing Activities</b>			
Proceeds from Domestic Borrowings	6	0.00	0.00
Proceeds from Foreign Borrowings	7	0.00	0.00
Repayment of Principal on Domestic and Foreign Borrowing	20	0.00	0.00
<b>Net Cash Flow From Financing Activities</b>	<b>C</b>	<b>0.00</b>	<b>0.00</b>
<b>NET INCREASE IN CASH AND CASH EQUIVALENT</b>	<b>A+B+C</b>	<b>38,981,741.95</b>	<b>3,777,658.50</b>
Cash and Cash Equivalent at BEGINNING of The Year		24,839,253.50	21,061,595.00
Cash and Cash Equivalent at END of The Year	22A+22B	63,820,995.45	24,839,253.50

The Statement has been prepared, reviewed and approved by the following:

Prepared By: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

## CHAPTER FIVE

### 5.0 Challenges, Priority Areas and Recommendations

#### 5.1 Key challenges:

- a) Limited funding of the gender agenda and inclusion issues in all spheres of life. Gender equality and freedom from discrimination though considered critical in the realization of the 2030 Kenya development agenda, it is yet to receive the necessary political good will and critical financial muscle. Despite the huge mandate of 16 functions, the NGECC has been receiving annual budget of less than 500 Million since its establishment. This is followed by annual budget cuts the Commission is unable to conduct monitoring, auditing, coordination and facilitation related functions.
- b) Lack of enforcement mechanisms for compliance with principles of equality and inclusion. This has led to lack of compliance of public and private sectors with minimum requirements of gender equality and inclusion. There are no known penalties for lack of compliance. We recommend that Parliament lead by example by ensuring that the pending legislations on promotion of representation of marginalized groups (Art 100) and legislation to give effect to Art 27 (8) as per Court of Appeal Judgement Civil Appeal No 148 of 2017; National Assembly, Senate –v-Crew 2010 are developed and passed. In many jurisdictions, government agencies access their budget and grants upon submission of certificate of clearance from equal opportunities oversight bodies (equivalent of the NGECC) stating that the agency has put adequate measures in their planning and budgeting tools to address inequalities and exclusions. If such a measure is introduced in Kenya, certainly many government agencies would comply with the requirements of inclusiveness.
- c) Limited establishment. The Commission has inadequate staff to handle high cases and issues of discrimination and inequalities. In programs, the Commission has a deficit of more than 70 staff. More specifically, the Commission has no investigators to help investigate violations of right to equality and freedom from discrimination, it has no critical staff in research, monitoring and evaluation just to mention a few.
- d) Limited regional coverage of the issues affecting special interest groups. The Commission has six regional offices spread across the country and we purpose to have a minimum of 10 regional offices to serve the most-in-need populations. Our constituents require we take services to them and save them from travelling long distances to receive services in Nairobi. The coverage is way below the Constitutional threshold provide for under devolution and access to services. Article 6 (3) of the Constitution of Kenya 2010, provides that a national state organ shall ensure reasonable access to its services in all parts of the Republic.

By this action, the Commission shall fulfil the provisions of Article 6(3) on devolution and access of services to the special interest groups.

- d) In order to improve on the levels of compliance with the principles of gender equality and inclusion, NGECC makes the following programmatic related specific recommendations
- i. Kenya to consider the ratification of the Convention on elimination of violence and harassment in the world of work. The ratification of the Violence and Harassment Convention, 2019 (No. 190) by the International Labour Organization (ILO), would accelerate Kenya's efforts towards the elimination of GBV by 2030
  - ii. The government to consider increased investments in all strategies identified for the elimination of GBV and harmful cultural practices. These include investment in POLICARE, establishing interoperable database on violence directed to women and girls, and in FGM programs involving men to reduce demand for female genital cutting
  - iii. The agencies involved in the protection of the rights of children to increase their investments and interventions aimed at expanding our partnerships and collaborations with the private sector and development of deliberate protection of girls from pregnancies, sexual exploitation, cybercrimes, radicalism and extremisms, forced labour
  - iv. Upon political transition in 2022, the county governments and the MDAs to expand the space for youth empowerment as envisioned in Article 55 of the Constitution of Kenya to increase youth employability, access to relevant training and skill development opportunities, and protect youth from exploitation in employment and labour.
  - v. Key agencies involved in the administration and management of the 2022 general elections include IEBC, security agencies, election observers, and political parties to ensure the safety of the electoral managers, the safety of candidates (women and other special interest groups) during campaigns and intensify their commitment to delivering peaceful, fair and free elections.

### **5.3 Priority areas**

- a) Facilitate the development of a framework for greater and meaningful involvement of PWDs and youth in anti-corruption programs. PWDs and youth are most affected by corruption and we acknowledge that they too have a significant contribution in building ethos and beliefs on integrity, equality and non-discrimination.
- b) Monitor and audit inclusion and participation on SIGs in the 2022 general elections including in the political parties (political party code of regulations, constitutions, governance structures, dispute resolution procedures), civic education programs, nominations, voter registration and education, political party primaries, simulations, voting and post-election management processes.
- c) Audit the inclusion of SIGS including PWDs, youth, women, minority and marginalized groups in county government executive, assemblies, public services, nomination, and appointive positions. The audit will also be expanded to the

private sector particularly companies that are publicly quoted in the Nairobi Securities Exchange

- d) Facilitate the development of a model child pregnancy management and control strategy for consideration by national and county governments
- e) Complete the audit of the uptake and effect of green energy among special interest groups including the uptake of solar lanterns, and improved cooking *Jikos* among others
- f) Operationalization of the Commission rules and regulations to strengthen procedures for the conduct of investigations, and management of complaints. The program shall involve inaugural sittings of the Commission in 5 counties to hear and process complaints on equality and inclusion. The program will also entail the development of communications to promote the rules and regulations among the special interest groups, and the presentation of the rules in simple –easy-to-understand language, with the version in Swahili and braille formats.
- g) Expanding in the scope of interventions on universal access to public infrastructure. The Commission launched a pilot project on access to public transport in Nairobi and wishes to expand the coverage and reach to provide national and county governments with concrete recommendations for consideration in ensuring universal access to among others Bus Rapid Transit.
- h) Building capacity of Commissioners and management team on corporate governance, knowledge management, and alternative dispute resolution mechanisms. The Commission received two Commissioners in December 2021 and proposes to recruit additional technical staff, all of whom will require induction.
- i) Continue to take stock of the effect of COVID-19, drought and economic recessions on SIGs and proposed strategies for reducing inequalities in the programs designed to caution SIGs and vulnerable groups from the effects of such disasters and emergencies.
- j) Finalization of a framework for the involvement of minority and marginalized groups in the national agenda and increased investment in programs seeking to protect the image and identify the marginalized communities in Kenya
- k) Undertake public interest litigation on key matters affecting SIGs in Kenya with a focus on elections petitions, discrimination of PWDs, women, youth, children, older members of society and minorities and marginalized. The Commission will also invest in alternative dispute resolution mechanisms to resolve admissible complaints.
- l) Audit selected SIG empowerment initiatives proposed post-2022 general elections.

## 5.2 Recommendations

- a) The government to consider the amendment to the Public Finance Management Act, of 2012 and attendant documents to include provisions that require Ministries, Departments and Agencies to obtain a gender and inclusion clearance from the National Gender and equality Commission that demonstrates that such agencies have planned for and budgeted for critical gender and inclusion interventions in their annual work plans. This practice is common in a few jurisdictions, where government agencies only access their annual budget and grants upon submission of a certificate of clearance from equal opportunities oversight bodies (the equivalent of the NGEC) stating that the agency has put adequate measures in their planning and budgeting tools to address inequalities and exclusions. If such a measure is introduced in Kenya, certainly many government agencies would comply with the requirements of inclusiveness.

In addition, the Parliament with the support of the National Treasury to fully apply the provisions of Article 249 (3) of the Constitution of Kenya 2010, by allocating adequate funds to enable each commission and independent office to perform its functions. The NGEC requires funds to set up the basic infrastructure including transport, computers, increase institutional visibility, and regional offices in addition to resources to perform the core mandate with a focus to the hard to reach areas.

- b) The Parliament to urgently consider and enact a law to give effect on Article 81b and Article 27 on not more than two-thirds gender rule, Article 100 on the greater representation of the special interest groups in Parliament, and enabling legislation to give effect to affirmation actions and programs envisioned in Article 56 of the Constitution of Kenya 2020 to ensure that minorities and marginalised groups a) participate and are represented in governance and other spheres of life; (b) are provided special opportunities in educational and economic fields; (c) are provided special opportunities for access to employment; (d) develop their cultural values, languages and practices; and (e) have reasonable access to water, health services and infrastructure.

In addition, County Governments, National Governments and the private sector to comply with the fundamental requirement in Article 54 of the Constitution of Kenya that obligates the State to ensure the progressive implementation of the principle that at least five per cent of the members of the public in elective and appointive bodies are persons with disabilities.

- c) The Government to consider increased financial support for the Commission directed at the full operationalization of the five regional offices and opening at least three more offices per year for the next two years. The investment will increase the capacity of the Commission to handle matters of equality and inclusion, particularly among vulnerable populations living in hard-to-reach areas.

## Appendix 1: NGECE Leadership Profile

### THE COMMISSION



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

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

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

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

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



**Dr. Joel Murithi Chomba,  
PhD, MBS  
Vice Commission  
Chairperson**

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

He has served in the Disability Sector as a Chairman of the Disabled Voters of Kenya Alliance (DVA) and Kenya Union for the Blind (KUB). Other memberships include; the

Nairobi County Public Service Board, National Council for Persons with Disabilities (NCPWD), Kenya Institute of Special Education (KISE) Council, Kenya Institute for the Blind (KIB) Board of Management and Nguviu Boys' High School Board of Management. Before his appointment, Dr. Chomba worked as a Senior Lecturer at Kenyatta University in the Special Needs Education Department, as Managing Director at Disability Awareness and Development (FAMDAD) Management Consultancy and as an Executive Director at the African Union of the Blind (AFUB).



**Thomas Okoth Koyier**  
EBS  
Commissioner

Thomas Okoth Koyier is currently serving as a Commissioner having been appointed by His Excellency the President as a Member of the National Gender and Equality Commission (NGEC) on 22<sup>nd</sup> December 2021 as per the Kenya Gazette Notice No 14017m dated 21<sup>st</sup> December 2021. Commissioner Thomas Okoth Koyier holds a Master's Degree in Business Administration from Southern Oregon University, Ashland, Oregon, U.S.A and a Bachelor's Degree from Central Washington University in Ellensburg, U.S.A. He has served as a Banker in the Financial Sector in the U.S.A. and Kenya as well as a Member of the Insurance Appeals Tribunal from the year 2019 to 2021 with the Insurance Regulatory Authority under the Ministry of Finance. He has also served as a Board Member for Biblia Sacco, Head of the Commerce Department

at Daystar University and a Member of the University Council representing Senior Staff at the University. Before his appointment Commissioner Koyier was a Lecturer at the School of Business and Economics at Daystar University



**Caroline Naikena**  
Lentupuru, MBS,  
HSC

Commissioner Caroline was appointed on December 21, 2021, and sworn in on Wednesday, December 22, 2021. She holds a Master of Arts Degree in International Development and Social Change from Clark University, USA and a Bachelor of Education (Arts) degree from Moi University. Before her appointment, Commissioner Caroline was the Director of Governance Affairs at the Intergovernmental Relations Technical Committee. She also served as a County Executive Committee Member of, the Baringo County Government. She has also been a Gender Resource Specialist/Consultant. She has participated in various works of charity and proposal writing in aid of the less privileged in society.



**Hon. Priscilla Nyokabi, EBS  
Commissioner (upto  
February 2022)**

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

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

### **BETTY SUNGURA, MBS**



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

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

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

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

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

## Appendix 2: Tables and Figures

Table 1: Some Institutions facilitated aligning their workplace policies, action plans, and activities to the basic requirements of gender mainstreaming

No	Ministry/ Departments	Agencies	Learning Institutions	Commissions
1.	National Treasury	Agricultural Development Corporation	Dedan Kimathi University of Technology	Commission on Administrative Justice (CAJ)
2.	Ministry of Petroleum and Mining;	Agricultural Food Authority	Jomo Kenyatta University of Science and Technology	National Police Service Commission
3.		Agricultural Food Corporation	Kabete National Polytechnic	
4.		Anti-counterfeit Authority	Kasarani Technical and Vocational Training College	
5.		Athi Water Works Development Agency	Kenya Medical Training College	
6.		Business Registration Service	Kirinyaga university	
7.		Council of Legal Education	Meru National Polytechnic	
8.		East Africa Portland Cement	Mukiria Technical Training Institute	
9.		Geothermal Development Corporation	Mukurwe-ini Technical Training Institute	
10.		Kenya Accountants and Secretaries National Examinations Board	Murang'a University	
11.		Kenya Airports Authority	Nyeri Polytechnic	
12.		Kenya Animal Genetic Resource Centre	South Eastern Kenya University (SEKU)	
13.		Kenya Bureau of Standards	University of Kabianga	
14.		Kenya Civil Aviation Authority	University of Nairobi	
15.		Kenya Deposit Insurance Corporation	Maseno university	
16.		Kenya Electricity Generating Company Ltd		

17.		Kenya Electricity Transmission Company		
18.		Kenya Institute of Curriculum Development		
19.		Kenya Industrial Property Institute		
20.		Kenya Marine and Fisheries Research Institute		
21.		Kenya Meat Commission		
22.		Kenya National Accreditation Services		
23.		Kenya National Innovation Agency		
24.		Kenya National Library Services		
25.		Kenya National Shipping Line		
26.		Kenya Plant Health Inspectorate Service		
27.		Kenya Roads Board		
28.		Kenya School of Government		
29.		Kenya Tourism Board		
30.		Kenya Tsetse and Trypanosomiasis Eradication Council		
31.		Kenya Universities and Colleges Central Placement Services		
32.		Kenya Urban Roads Authority		
33.		Kenya Veterinary Board		
34.		Kenyatta National Hospital		
35.		Konza Technopolis Development Authority		
36.		Lake Victoria South Water Works Development Agency		
37.		Media Council of Kenya		
38.		National Construction Authority		
39.		National Council for Population and Development		
40.		National Environment Trust Fund		
41.		National Irrigation Authority		
42.		National Research Fund		

12.	NGEC/47/2021	Female	37	Alleged Assault	Nairobi	Matter referred National Police Service
13.	NGEC/48/2021	Male	58	Land Dispute	Nyamira	File Closed
14.	NGEC/49/2021	Female	35	Alleged rape	Olkalau	Matter referred to ODPP
15.	NGEC/50/2021	Male	15	Alleged defilement	Nyandarua	File closed
16.	NGEC/51/2021	Female	12	Alleged defilement	Nyandarua	File closed
17.	NGEC/52/2021	Female	45	Alleged Assault	Nyandarua	Matter ongoing
18.	NGEC/53/2021	Female	15	Alleged defilement	Nyandarua	Matter ongoing
19.	NGEC/54/2021	Female	13	Alleged defilement	Nyandarua	File closed
20.	NGEC/1/2022	Male	43	Alleged embezzlement	Laikipia	Matter Referred National Police Service
21.	NGEC/2/2022	Female	32	Alleged domestic violence	Laikipia	Matter ongoing
22.	NGEC/3/2022	Female	13	Alleged defilement	Nairobi	Matter ongoing
23.	NGEC/4/2022	Male	38	Alleged employment dispute	Wajir	Matter referred to the labour office
24.	NGEC/5/2022	Female	38	Alleged employment dispute	Garisa	Matter already in court
25.	NGEC/6/2022	Male	51	Alleged land dispute	Garisa	Matter referred to lands Commission
26.	NGEC/7/2022	Male	37	Plea for financial support	Lodwar	File closed
27.	NGEC/8/2022	Male	42	Alleged election dispute	Kitui	File closed
28.	NGEC/9/2022	Male	51	Alleged delay in payment	Laikipia	Matter resolved
29.	NGEC/10/2022	Female	41	Alleged discrimination on basis of gender	Laikipia	File closed

30.	NGEC/11/2022	Male	52	Alleged unfair treatment	Laikipia	Matter on going
31.	NGEC/12/2022	Male	67	Alleged land dispute	Nakuru	Matter referred to Legal Resources Foundation
32.	NGEC/13/2022	Female	28	Alleged GBV	Kisumu	Matter ongoing
33.	NGEC/14/2022	Male	46	Alleged employment dispute	Malindi	Matter referred to WIBA
34.	NGEC/15/2022	Female	30	Alleged child negligence	Malindi	Matter referred to Children's department
35.	NGEC/17/2022	Female	41	Alleged child negligence	Nakuru	Matter referred to Childrens Department
36.	NGEC/18/2022	Elderly woman	62	Alleged assault	Nakuru	File closed
37.	NGEC/19/2022	Female	36	Succession matter	Nakuru	Matter referred to Private advocate
38.	NGEC/20/2022	Female	12	Alleged defilement	Nairobi	Matter referred to ODPP
39.	NGEC/20/2021	Male	37	Alleged electoral dispute	Garissa	Matter referred to IEBC election tribunal
40.	NGEC/21/2022	Female	16	Alleged defilement	Garissa	File closed
41.	NGEC/22/2022	Female	32	Alleged rape	Garissa	Matter referred to ODPP
42.	NGEC/23/2022	Female	29	Alleged defilement	Garissa	Matter referred to Ministry of Health
43.	NGEC/24/2022	Female	37	Alleged discrimination	Kitui	Matter ongoing
44.	NGEC/25/2022	Male	39	Alleged harassment	Nairobi	File closed
45.	NGEC/26/2022	Youth Female	26	Child maintenance	Kitui	Matter referred to Children's Department

46.	NGEC/27/2022	Male	57	Alleged fraud	Nairobi	Matter referred to EACC
47.	NGEC/28/2022	Female Youth	32	Alleged Sexual based gender violence	Homabay	Matter ongoing
48.	NGEC/29/2022	Female minor	36	Denial of admission to school	Nairobi	Matter resolved
49.	NGEC/30/2022	Male	41	Employment dispute	Nairobi	Matter referred to WIBA
50.	NGEC/32/2022	Female	52	Alleged land dispute	Kiambu	Matter referred to Lands Commission
51.	NGEC/31/2022	Male PWD	40	Alleged housing dispute	Kisumu	Matter referred to Ministry of Housing
52.	NGEC/33/2022	Male	43	Alleged electoral dispute	Nairobi	Matter referred to IEBC dispute tribunal
53.	NGEC/34/2022	Female minor	11	Alleged denial of education	Garissa	Matter resolved
54.	NGEC/35/2022	Female	30	Alleged assault	Garissa	Matter referred to National Police Service
55.	NGEC/36/2022	Female	12	Alleged defilement	Garissa	Matter referred to National Police Service
56.	NGEC/37/2022	Female	35	Alleged rape	Garissa	Matter referred to ODPP
57.	NGEC/38/2022	Female	20	Alleged Sexual based gender violence	Garissa	Matter ongoing
58.	NGEC/39/2022	Female	34	Alleged unresponsive conduct	Kisumu	Matter referred Internal Affairs National Police Service
59.	NGEC/40/2022	Female	45	Succession matter	Kisumu	File closed

60.	NGEC/41/2022	Female	60	Land dispute	Malindi	Matter referred to Land Commission
61.	NGEC/42/2022	Male	34	Alleged defilement	Malindi	File closed
62.	NGEC/43/2022	Female	40	Land dispute	Malindi	Matter Referred to private advocate
63.	NGEC/44/2022	Female Minor	13	Alleged defilement	Kitui	Matter Ongoing
64.	NGEC/45/2022	Male	24	Child Negligence	Nakuru	Matter referred to children department
65.	NGEC/45/2022	Male	48	Fraud	Nairobi	File closed
66.	NGEC/46/2022	Female	45	Child Maintenance	Kitui	File closed
67.	NGEC/47/2022	Female	32	Domestic violence	Nairobi	Matter ongoing
68.	NGEC/48/2022	Male	35	Disability discrimination	Nairobi	File Closed
69.	NGEC/49/2022	Elderly Female	63	Child negligence	Nairobi	Matter ongoing
70.	NGEC/50/2022	Male	43	Employment dispute	Nakuru	File closed
71.	NGEC/51/2022	Male	32	Land dispute	Nakuru	Matter referred to Land Commission
72.	NGEC/52/2022	Male	43	Election dispute	Nairobi	Matter referred IEBC
73.	NGEC/53/2022	Female minor	14	Alleged defilement	Malindi	Matter ongoing
74.	NGEC/54/2022	Female	45	Land dispute	Homabay	Matter referred
75.	NGEC/55/2022	Male	47	Mental disturbance	Kitui	File closed
76.	NGEC/56/2022	Female	20	Job seeking	Kisumu	File closed
77.	NGEC/57/2022	Female youth	34	Child abuse	Nairobi	Matter referred to National Police Service
78.	NGEC/58/2022	Female	15	Alleged defilement	Garissa	Matter ongoing
79.	NGEC/59/2022	Male	43	Child negligence	Nairobi	Matter referred to Children Department

43.		National Transport and Safety Authority		
44.		National Youth Service		
45.		Tana and Athi Rivers Development Authority		
46.		Tourism Promotion Fund		
47.		Unclaimed Financial Assets Authority		
48.		Universities Fund Board		
49.		Water Services Regulatory Board		
50.		Women Enterprise Fund		

**Table 2: Complaints Received, Processed and/or Referred by the Commission, 2021-2022**

SR/NO	REF NO	GENDER/ SIG CATEGORY	AGE	SUMMARY OF COMPLAINT	REGION	STATUS AS OF JUNE 2021
1.	NGEC/36/2021	Female	39	Enquiry on adoption process	Migori	File closed
2.	NGEC/37/2021	Female minor	14	Alleged defilement	Kitui	Matter closed
3.	NGEC/38/2021	Female	29	Matrimonial dispute	Nairobi	File closed
4.	NGEC/39/2021	Female	16	Alleged defilement	Garissa	Matter referred to ODPP
5.	NGEC/40/2021	Female minor	17	Alleged defilement	Garissa	Matter ongoing
6.	NGEC/41/2021	Female	54	Land dispute	Kitui	File closed
7.	NGEC/43/2021	Male& Female	56	Internal displacement	Olkalau	File closed
8.	NGEC/42/2021	Male	42	Succession dispute	Olkalau	Matter referred to private advocate
9.	NGEC/44/2021	Female	45	Succession dispute	Nakuru	File closed
10.	NGEC/45/2021	Male	46	Land dispute	Nairobi	File closed
11.	NGEC/46/2021	Male	34	Deportation	Nairobi	Matter referred Haki Africa

80.	NGEC/60/2022	Female	32	Job seeking	Online	File closed
81.	NGEC/61/2022	Female	34	Assault	Kiambu	Matter referred to National Police Service
82.	NGEC/62/2022	Female	16	Alleged defilement	Nairobi	Matter ongoing
83.	NGEC/63/2022	Female	46	Maladministration	Nairobi	Matter referred to CAJ
84.	NGEC/64/2022	Male Youth	30	Alleged discrimination	Nairobi	Matter ongoing
85.	NGEC/65/2022	Male	20	Job seeking	Nakuru	File closed
86.	NGEC/66/2022	Female	46	Land dispute	Kitui	Matter referred to Land Commission
87.	NGEC/67/2022	Female	32	Alleged rape	Garissa	Matter ongoing
88.	NGEC/68/2022	Female	34	Discrimination	Nairobi	Matter ongoing
89.	NGEC/69/2022	Male	28	Job seeking	Kitui	File closed

NO.	CASE NUMBER	PARTIES IN THE CASE	OVERVIEW OF THE CASE	STATUS
1.	Petition No E291 of 2020	<p><b>Petition No E291 of 2020</b>, Leina Konchellah &amp; Another v. Chief Justice and President of the Supreme Court of Kenya, The Attorney General, The Speaker of the National Assembly and The Speaker of the Senate (<b>Consolidated with Petition Nos. E300 of 2020, E302 of 2020, E305 of 2020, E314 of 2020, E317 of 2020, E337 of 2020, 228 of 2020, 229 of 2020 and Judicial Review E1108 of 2020</b>)</p> <p>NGEC is the <b>3<sup>rd</sup> Petitioner in Petition E337 of 2020</b> (Centre for Rights, Education and Awareness (CREAW), Community Advocacy and Awareness Trust (CRAWN TRUST) &amp; NGEC v. Attorney General, Speaker of the Senate &amp; Speaker of the National Assembly)</p>	<ul style="list-style-type: none"> <li>The 10 cases were filed following an advisory by the then Chief Justice David Maraga to His Excellency the President to dissolve parliament for failure to meet the two-thirds gender principle as well as enact a law to implement the said principle in terms of Article 261 of the Constitution.</li> <li>Some matters challenge the said advice while others are in support.</li> <li>Justice W. Korir on 24th September 2021 issued conservatory orders in Petition E291 stopping the implementation of the Chief Justice's Advice.</li> <li>The learned judge further directed that the file be forwarded to the Chief Justice to constitute a panel of judges to hear the petition. Judge suo moto joined Margaret Toili, Fredrick Gichanga Mbugua'h, Stephen Awoko, John Wangai, Aoko Bernard, Hon. David Sudi and the Law Society of Kenya as 3<sup>rd</sup> to 8<sup>th</sup> Interested Parties.</li> <li>Justices J. A. Makau and A. C. Murima on 29th September 2020 and 5th October 2020 in E300 of 2020 and E314 of 2020 respectively have similarly issued conservatory orders against the CJ's Advice and directed that the files be transmitted to the Chief Justice for purposes of constituting a bench to hear the matters.</li> <li>On 14th October 2020, the Honourable Deputy Chief Justice Philomena Mwilu</li> </ul>	<p>The case before the High Court stayed pending the outcome of the case before the Court of Appeal.</p> <p>The case before the Court of Appeal is pending a hearing.</p>

			<p>appointed a five-judge-bench comprising of Honourable Lady Justice Lydia Achode-Presiding, Honourable Lady Justice Pauline Nyamweya, Honourable Justice George Odunga, Honourable Justice James Makau and Honourable Justice Anthony Ndung'u to hear the cases.</p> <ul style="list-style-type: none"> <li>• The 2 houses of Parliament objected as to whether the Deputy Chief Justice had the power under the Constitution to empanel the bench.</li> <li>• The court dismissed the objection but the 2 houses appealed. On appeal, the Court of Appeal stayed the proceedings before the high court.</li> </ul>	
2.	Court of Appeal Civil Appeal No. E339 of 2021	National Assembly & Senate v. Chief Justice of the Republic of Kenya, Attorney General, Deputy Chief Justice – Interested Party	<ul style="list-style-type: none"> <li>• The National Assembly and Senate challenged the Deputy Chief Justice's action to appoint a bench of 5 to hear <b>Petition No E291 of 2020</b>, Leina Konchellah &amp; Another v. Chief Justice and President of the Supreme Court of Kenya, The Attorney General, The Speaker of the National Assembly and The Speaker of the Senate (<b>Consolidated with Petition Nos. E300 of 2020, E302 of 2020, E305 of 2020, E314 of 2020, E317 of 2020, E337 of 2020, 228 of 2020, 229 of 2020 and Judicial Review E1108 of 2020</b>)</li> <li>• In Civil Appeal No. E097 of 2021, the Court of Appeal on</li> </ul>	Appeal pending hearing.



			28 <sup>th</sup> May 2021 ordered a stay of proceedings and directed that the appeal be filed within 30 days and the matter be prioritized for hearing.	
3.	MCSO 15 of 2021  Gichugu Magistrate's Court.	The Republic v. John Kariuki Thiguku  NGEC joined the matter watching brief for the complainant.	<ul style="list-style-type: none"> <li>The accused is accused of defiling a minor in December 2020.</li> <li>The matter has been heard on several occasions and the victim has already given her evidence.</li> </ul> <p>The Accused person is in custody as he was unable to satisfy the bail and bond terms granted by the court.</p>	Hearing of the Prosecution case is still ongoing.
4.	Petition 605 of 2014	<ol style="list-style-type: none"> <li>SWK, 1<sup>st</sup> Petitioner</li> <li>PAK, 2<sup>nd</sup> Petitioner</li> <li>GWK, 3<sup>rd</sup> Petitioner</li> <li>AMM, 4<sup>th</sup> Petitioner</li> <li>Kenya Legal and Ethical Issues Network</li> <li>on HIV &amp; AIDS (KELIN), 5<sup>th</sup> Petitioner</li> <li>African Gender and Media Initiative Trust (GEM), 6<sup>th</sup> Petitioner</li> <li>Médecins Sans Frontières- France, 1<sup>st</sup> Respondent</li> <li>Pumwani Maternity Hospital, 2<sup>nd</sup> Respondent</li> <li>Maries Stopes International, 3<sup>rd</sup> Respondent</li> <li>County Executive Committee Member in Charge of Health Services-Nairobi County, 4<sup>th</sup> Respondent</li> </ol>	<ul style="list-style-type: none"> <li>This matter concerns the issue of forced and coerced sterilization of women living with HIV and AIDS and the violation of constitutional rights especially sexual reproductive health rights</li> </ul>	Matter pending Judgment on Notice.

		<p>12. Cabinet Secretary, Ministry of Health, 5<sup>th</sup> Respondent</p> <p>13. The Hon. Attorney General, 6<sup>th</sup> Respondent</p> <p>14. <b>National Gender and Equality Commission, <i>amicus curiae</i></b></p>		
5.	Petition 606 of 2014	<p>1. LAW, 1<sup>st</sup> Petitioner</p> <p>2. Kenya Legal and Ethical Issues Network on HIV &amp; AIDS (KELIN), 2<sup>nd</sup> Petitioner</p> <p>4. African Gender and Media Initiative Trust (GEM), 3<sup>rd</sup> Petitioner</p> <p>5. Marura Maternity &amp; Nursing Home, 1<sup>st</sup> Respondent</p> <p>6. County Executive Committee Member in Charge of Health Services–Nairobi County, 2<sup>nd</sup> Respondent</p> <p>7. Cabinet Secretary, Ministry of Health, 3<sup>rd</sup> Respondent</p> <p>8. The Hon. Attorney General, 4<sup>th</sup> Respondent</p> <p><b>National Gender and Equality Commission, <i>amicus curiae</i></b></p>	<ul style="list-style-type: none"> <li>This matter concerns the issue of forced and coerced sterilization of women living with HIV and AIDS and the violation of constitutional rights especially sexual reproductive health rights</li> </ul>	Matter pending hearing
6.	Petition 266 of 2015, FIDA and others vs. Ministry of	<p>1. Federation of Women Lawyers (FIDA-Kenya), 1<sup>st</sup> Petitioner</p> <p>2. JMM through PKM (Suing as Guardian and next friend of</p>	<ul style="list-style-type: none"> <li>The matter concerns the actions of the Ministry of Health through the Director of medical services to withdraw the Standards and Guidelines for reducing morbidity and Mortality from Unsafe Abortion in Kenya largely addressing</li> </ul>	<p>On June 12, 2019, a five-judge bench of the High Court of Kenya delivered a groundbreaking judgement in which it affirmed the spirit and letter of the Constitution.</p> <p>On all the issues raised, the Court found that:</p>

<p>Health and others,</p>	<p>JMM), 2<sup>nd</sup> Petitioner</p> <p>3. Ruth Mumbi Meshack, 3<sup>rd</sup> Petitioner</p> <p>4. Victoria Atieno Awour, 4<sup>th</sup> Petitioner</p> <p>5. The Attorney General, 1<sup>st</sup> Respondent</p> <p>6. The Cabinet Secretary Ministry Of Health, 2<sup>nd</sup> Respondent</p> <p>7. The Director of Medical Services, 3<sup>rd</sup> Respondent</p> <p>8. Kenya Christian Professionals Forum- Opposing Interested Party</p> <p>9. East Africa Centre for Law and Justice, Opposing Interested Party</p> <p>10. Catholic Doctors Association, Opposing Interested Party</p> <p>11. Rev. John Mbugua, Opposing Interested Party</p> <p>12. Nazlin Umar Rajput, Opposing Interested Party</p> <p>13. Article 19, Supporting Interested Party</p> <p>14. Physicians for Human Rights, Supporting Interested Party</p> <p>15. Women’s Link Worldwide, 1<sup>st</sup> <i>Amicus Curiae</i></p>	<p>the issue of unsafe abortions as a main cause despite the Constitution permitting abortion if, in the opinion of a trained health professional, there is need for emergency treatment or the life or health the pregnant woman is in danger.</p>	<ol style="list-style-type: none"> <li>1. The withdrawal of the Standards and guidelines, the ban on the training of health professionals on safe abortion and the use of Medabon, and the threat of penal sanctions against the health professionals by the Director of Medical Services were unlawful, illegal, arbitrary and unconstitutional and thus the standards and guidelines and the training curriculum continue to exist as if they were never withdrawn.</li> <li>2. The Constitution provides for a <b>right to abortion</b> where in the opinion of a trained health professional there is a need for emergency treatment, or that the life or health (mental, <b>psychological</b> or <b>physical</b>) of the mother is in danger, or if permitted by any other written law.</li> <li>3. Abortion is permitted in Kenya if a pregnancy results from rape or defilement, and in the opinion of a trained health professional, it endangers the physical, mental and social well-being of a woman.</li> <li>4. The blanket prohibition of abortion under the <b>Penal Code</b> cannot stand because it is inconsistent with the provisions of the Constitution as well as the Sexual Offences Act.</li> </ol>
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		<p>16. Kenya National Commission on Human Rights, 2<sup>nd</sup> <i>Amicus Curiae</i></p> <p>17. <b>National Gender and Equality Commission,</b> 3<sup>rd</sup> <i>Amicus Curiae</i></p>		<p>5. Kenya’s refusal to be bound by Article 14(2)(c) of the Maputo Protocol to the African Charter on Human and People’s Rights has no effect to the extent that those provisions of the Protocol mirror those in Article 26 (4) of the Constitution of Kenya, which is binding.</p> <p>6. Trained health professionals who are permitted by the Constitution to make an opinion that an abortion is necessary to include nurses, clinical officers, and midwives in addition to doctors and specialist obstetrician gynaecologists.</p> <p>7. The court agreed with and adopted the World Health Organization’s definition of health to mean “<b><i>a state of complete physical, mental and social well-being, and not only the absence of disease or infirmity.</i></b>”</p> <p><b>THE COURT’S ORDERS:</b></p> <p>The Court made the following orders:</p> <p>1. By withdrawing the Standards and Guidelines and the training curriculum and by banning training and use of Medabon, the MOH violated and or threatened the right of women and adolescent girls of reproductive age to the highest attainable standard of health, right</p>
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				<p>to non-discrimination, right to information, consumer rights, and right to benefit from scientific progress;</p> <p>2. By banning the training of health professionals and use of Medabon, the MOH violated and/ or threatened the rights of health care professionals to information, freedom of expression and association, consumer rights, and right to benefit from scientific progress;</p> <p>3. That the acts of withdrawing the Standards and Guidelines and National Training Curriculum, the banning of training and use of Medabon were unlawful, illegal, arbitrary, unconstitutional, and were therefore void;</p> <p>4. Abortion is allowed in cases of emergency, to save the life or health of the mother, and as provided by any other written law. Abortion is also allowed in cases of rape or defilement if, in the opinion of a trained health professional, the pregnancy poses a danger to the life or the health of the mother.</p> <p>5. That the government of Kenya should pay PKM a sum of <b>Kshs 3,000,000</b> being compensation for the physical, psychological, emotional and mental anguish, stress, pain, suffering and death of JMM occasioned</p>
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				<p>by the violation of JMM's constitutional rights</p> <p><b>An appeal was filed by Kenya Christian Professionals Forum which was dissatisfied with the judgment. It is pending the hearing.</b></p>
7.	Petition No. 397 of 2017	<ol style="list-style-type: none"> <li>1. Centre for Rights Education and Awareness (CREAW), 1<sup>st</sup> Petitioner,</li> <li>2. Crown Trust, 2<sup>nd</sup> Petitioner,</li> <li>3. Speakers National Assembly and Senate, Respondents</li> <li>4. <b>National Gender and Equality Commission, Amicus Curie</b></li> </ol>	<ul style="list-style-type: none"> <li>• The matter concerns the 8th August 2017 elections where the two-thirds gender principle was expected in representation in the National Assembly and the Senate.</li> </ul>	<p>Matter consolidated with petition 401 of 2017.</p> <p>Petition 397 was withdrawn. Judgment on Notice for Petition 401 of 2017.</p>
8.	Petition 409 of 2017  NGEC v. IEBC	<p><b>The National Gender and Equality Commission,</b></p> <p><b>Petitioner</b> Independent Electoral and Boundaries Commission, Respondent</p>	<ul style="list-style-type: none"> <li>• Matter challenging 2017 elections nominations</li> </ul>	<p>The case was dismissed at the High Court.</p> <p>Appeal pending hearing.</p>
9.	Nakuru Petition 1 of 2019	<ol style="list-style-type: none"> <li>1. NGEN V.</li> <li>2. Majority Leader of the County Assembly of Nakuru</li> <li>3. Clerk of the County Assembly of Nakuru</li> <li>4. Speaker of the County</li> </ol>	<ul style="list-style-type: none"> <li>• The Petition is challenging the de-whipping of female nominated MCAs from committees and leadership of the same. It is also challenging the constitutionality of the SRC circular on mileage allowance for nominated MCAs.</li> </ul>	<p>Hearing finalized.</p> <p>The judgment was delivered on 29<sup>th</sup> July 2019.</p> <p>Notice of Appeal on behalf of the 1<sup>st</sup> to 4<sup>th</sup> Respondents lodged on 8<sup>th</sup> August 2019.</p>

		<p>Assembly of Nakuru</p> <p>5. Hon. Stanely Karanja</p> <p>6. Salaries and Remuneration Commission</p> <p>7. Jubilee Party</p> <p>8. Catherine Kamau</p>		The matter awaiting directions from the court.
10.	Petition No. 74 of 2019	<p>3 Mohammed Arif Khan (suing on behalf of and the next friend of MK and RK (Minors))</p> <p>4 The Chairman of the Council of Kenyan Muslims</p> <p>Versus</p> <p>1. The Board of Directors Oshwal Academy Limited</p> <p>2. National Gender and Equality Commission</p> <p>3. Kenya National Commission on Human Rights</p> <p>4. The Cabinet Secretary, Ministry of Education</p> <p>5. The Honorable Attorney General</p>	<ul style="list-style-type: none"> <li>The 1st Respondent formulated a school policy that prohibits “ritualistic prayers” in school yet Muslim students and their parents had requested the school to allow them to observe afternoon prayers. The policy also gave the school absolute discretion to decide the progression of pupils to the next level in school eg. From lower primary to upper primary</li> <li>They consider the actions as a violation of their constitutional rights to religion and worship</li> </ul>	<p>Conservatory orders were issued on 29<sup>th</sup> March 2019.</p> <p>The matter pending a hearing.</p>
11.	Nairobi Petition No. E211 of 2022	<p>Petition Consolidated with HCJR E071 of 2022, Cliff Marube Ombeta &amp; Another v. Independent Electoral and Boundaries Commission &amp; 10 others.</p> <p>NGEC joined as the 9<sup>th</sup> Interested Party.</p>	<ul style="list-style-type: none"> <li>The case challenged IEBC’s decision to reject political party nomination lists that were not compliant with the two-thirds gender principle in line with Petition No. 19 of 2017: Katiba Institute -vs- Independent Electoral and Boundaries Commission (the ‘Katiba case’)</li> <li>In a Judgment delivered by Hon. A. C. Mrima on 13<sup>th</sup> June 2022, the court quashed the decision of</li> </ul>	<p>Case allowed.</p> <p>NGEC proffered an appeal to the Court of Appeal which is to be filed once supplied with certified proceedings and Judgment.</p>

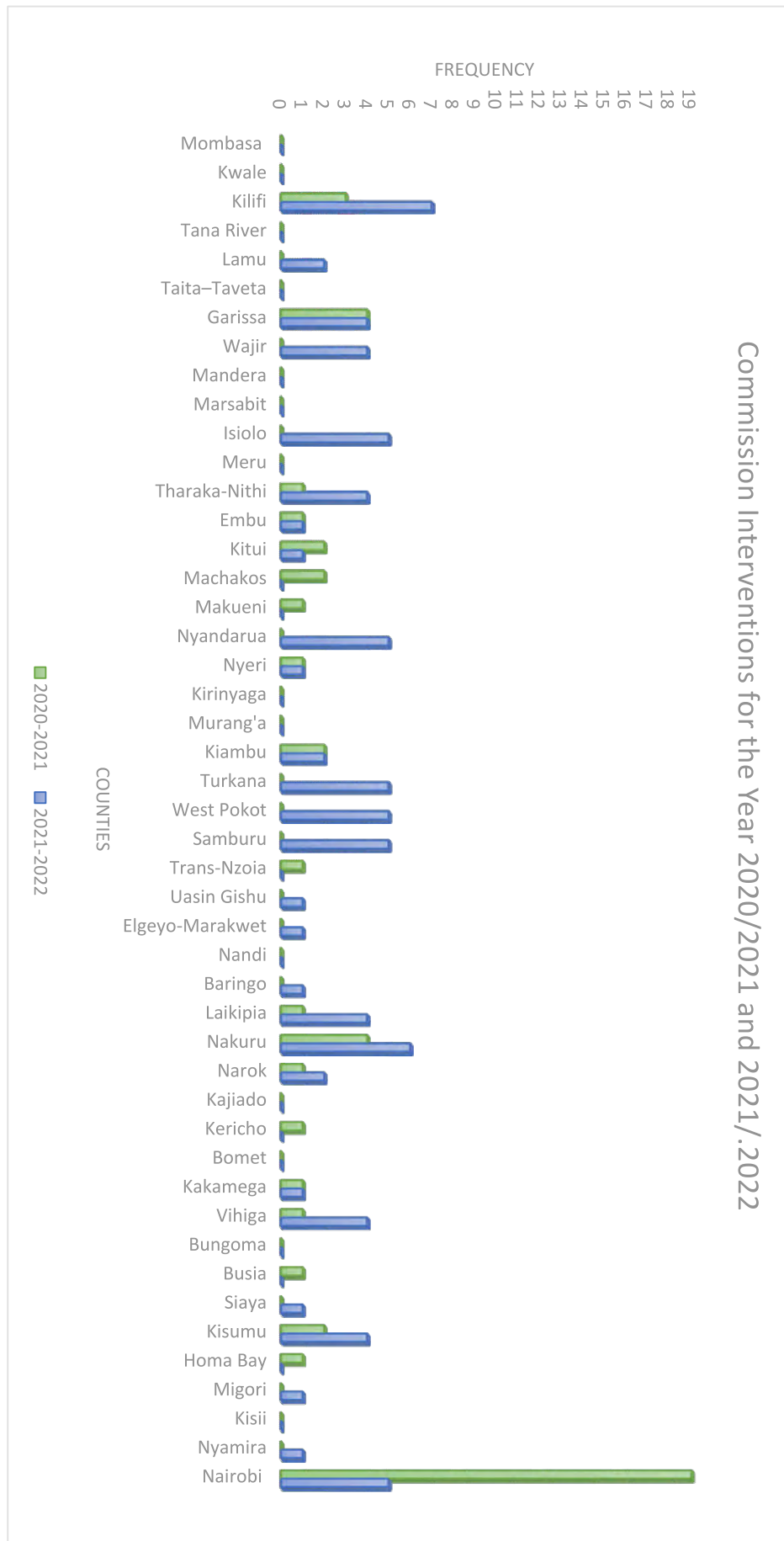
			IEBC paving way for acceptance of nomination lists that did not comply with the two-thirds gender principle.	
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**Table 4: Bills, Policies, and Administrative Instruments Reviewed, 2021/2022**

S/NO	TITLE	SENATE	NATIONAL	COUNTY
<b>National bills</b>				
1.	Special Needs Education Bill of 2021		√	
2.	Breastfeeding Mothers Bill, 2019		√	
3.	Care and Protection of Child Parents Bill, 2019		√	
4.	National Cohesion and Peace Building Bill. Senate Bill No 19 of 2021	√		
5.	County Oversight and Accountability Bill Senate Bills No 17 of 2021	√		
6.	The Preservation of Human Dignity and Protection of Economic and Social Rights Bill. Senate Bills No 21 of 2021	√		
7.	Children bill, 2021, National Assembly		√	
8.	The Senate Elections Amendment Bill No. 42, 2021	√		
9.	The Senate Elections Amendment Bill No.43, 2021	√		
10.	Political Parties Amendment Bill, No 56 of 2021		√	
11.	Military Veterans Bill, 2022 (National Assembly Bill No 4 of 2022		√	
12.	The Geriatric Bill, 2021 (National Assembly Bill No 51 Of 2021)		√	
13.	Elections (Amendment) Bill, 2021 (National Assembly Bills No. 41 of 2021)		√	
14.	Elections Campaign Finance (Amendment) Bill, No. 37 of 2021 (Senate)	√		
15.	Elections Amendment Bill No. 3, 2022 (National Assembly)		√	
	National Cohesion and Integration (Amendment) Bill, 2022		√	
16.	The Persons with Disability Bill, No 61 of 2021		√	
17.	County Oversight and Accountability Bill (Senate Bills No 17 of 2021)	√		
18.	The Prompt Payment Bill (Senate Bills No. 16 of 2021)	√		
19.	The Kenya Sign Language Bill (Senate Bills No 5 of 2021).	√		
20.	The Start-Up Bill, 2021		√	
21.	The Sexual Offences Amendment Bill 2020		√	
<b>National Policies and regulations</b>				
22.	National Policy on Prevention and Response to GBV, 2014			

46.	Frontier Counties Development Council Social Economic Bill,2021			√
47.	Wajir County Minority and Marginalized Groups Bill, 2020			√
48.	Baringo County Climate Change Bill, 2021			√
49.	Turkana county SGBV policy,2021			√
50.	Lamu County Drug and Substance Abuse Bill 2018			√
51.	Lamu County Drug and Substance Abuse Bill 2018			√
52.	The Garissa County Gender Policy,2020			√
53.	The Machokos Teacher Training College draft gender mainstreaming policy 2022			√
54.	The Machakos Teachers and Training College draft sexual harassment policy 2022			√
55.	The Kilifi Environment draft Policy, 2021			√
56.	The Kilifi Gender-Based Violence draft policy,2021			√

Figure 1: Frequency of Intervention in Counties FY 2020 -2021 and 2021-2022



23.	Gender Mainstreaming Policy 2021 for Kenya Vision 2030 Delivery Secretariat			
24.	Public Finance Management (Disaster Management Fund) Regulations, 2022			
25.	National Health Insurance Fund (Claims and Benefits) Regulations, 2022			
26.	National Health Insurance Fund (Empanelment and Contracting) Regulations, 2022			
27.	National Health Insurance Fund (Beneficiary Identification) Regulations, 2022			
28.	National Health Insurance Fund (Member Registration) Regulations, 2022			
29.	National Health Insurance Fund (Contributions) Regulations, 2022			
30.	National Health Insurance Fund (Beneficiary Identification) Regulations, 2022			
31.	South Eastern Kenya University sexual and gender-based harassment prevention policy			
32.	National Gender and Equality Commission Complaints Handling and Procedure Regulations, 2022			
33.	County Assemblies Gender Policy, 2020			
34.	The Kenya National Highway Authority (KENHA Strategy for Gender Mainstreaming in the Roads Sub Sector			
35.	The Kenya National Highway Authority (KENHA Gender Monitoring and Action Plan for the Roads Sub Sector			
36.	The Kenya National Highway Authority (KENHA Guidelines, Checklists and Tools for Implementation of Gender Programming			
37.	The Kenya National Highway Authority (KENHA) Guidelines on gender mainstreaming for the road sector-Jomvu-Mariakani highway			
<b>County bills and policies</b>				
38.	Draft County Court Users Committee gender policy			√
39.	Kilifi County Persons with disability Bill 2021			√
40.	Nyeri County Vocational Training Centres bill, 2021			√
41.	The Nyeri County Social Assistance bill, 2021			√
42.	The Children Court Users Committee guidelines			√
43.	Kisumu County SGBV Policy, 2020			√
44.	Kisumu County Sexual and Reproductive Health Act, 2020			√
45.	Isiolo County Gender Policy, 2021			√



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