

MUNICIPALITY OF EMBU

GENDER POLICY

MUNICIPALITY OF EMBU © October 2023

FORWARD

All over the world today all development must have the integration of gender responsive strategies and prioritize solutions to gender inequalities. This conforms to the demands of various international treaties such as the Convection on the Elimination of all forms of Discrimination against Women (CEDAW) and the Maputo Protocol of the African Charter on Human and People's Rights of Women in Africa, which Kenya ratifies. The National Gender policy too demand equality of treatment and freedom from discrimination.

Consequent to the devolution prescribed by the Constitution of Kenya 2010, the Nation and its parts, including the Municipality of Embu have got gains, though there is continued existence of gender inequalities that obstruct full realization of sustainable socio-economic growth in counties. This has resulted to a critical need to rectify and deter the continued inequality. This is achieved within the Municipality of Embu through the formulation of this Gender Policy 2023-2028.

This policy puts in place articulate approaches that provide requisite guidelines for gender responsive planning, budgeting, and implementation of development programmes. It is my strongest belief that this policy will at Municipality level align the County Government's interventions with the aspirations of both men and women, and boys and girls within the Municipality delineations. Essential Commitments, Action plans and Strategies foster a great promise of a Municipality that embraces equal access to government services and non-existence of discrimination in opportunities.

Raymond N. Kinyua
CECM Urban Development -Embu County

PREFACE

The Municipality of Embu Gender Policy is founded on the Constitution of Kenya, 2010 which stipulates the principles of gender equality, upon which public and private institutions and individuals should work. It reflects the intentions of the National Policy on Gender and development in ensuring a just, fair and transformed society free of gender-based discrimination.

This policy embraces the implementation of the Vision 2030, the Bottom-Up Economic Transformation Agenda (BETA), in a manner that benefits both women and men in the Municipality. It focuses on attainment of gender equality in the development process by rectifying the prevailing gender inequalities. This promotes equal opportunities for women and men to actively participate holistically in development.

The development of this Policy has been birthed the challenges experienced by the gender inequalities across the cultural diversities in the Municipality. This Policy scrutinizes the thematic areas of focus for the Municipality from a gender perspective in order to provide appropriate guidance, strategies and interventions for its successful implementation. The Municipality of Embu will ensure that gender mainstreaming takes root across all operations as a means to achieving equitable and sustainable socio-economic development.

The Municipality will work closely with the Department of Gender, Culture and Social Services to ensure complementarity of this policy with the demands across the County. In this regard, the Policy will enhance broad participation in the implementation process within all sectoral priorities and Municipality functions within the period 2023-2028. This calls for the support of all in ensuring seamless integration and implementation of this policy.

Dr. Esther Nthiga

Chairperson of Municipal Board -Municipality of Embu

ACKNOWLEDGEMENT

On my behalf and that of the Municipality of Embu, I make special acknowledgment to our technical team for the great research and commitment to development of this policy. I unreservedly appreciate their contribution of time in articulating every clause with precision of a masterpiece that will the guiding radar in mainstreaming gender issues within the Municipality of Embu. Special gratitude to the following:

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- 4. Special regards and appreciation to the ably and carefully selected credible team comprising of: -
 - (i) Jacob Kariuki Gititi- Director Urban Development
 - (ii) John Njeru Mucira -Deputy Director Administration Municipality of Embu
 - (iii)Dennis Munene -Finance Officer Municipality of Embu
 - (iv)Nicholas Mogaka Barare Legal Officer -Embu County

for providing technical expertise in the development of this policy. It is my desire that this policy will be fully implemented to ensure holistic implementation and enhancement of unreserved all-inclussive infrastructural development and service delivery to the residents of the Municipality of Embu.

<u>Catherine Nyaga - Municipal Manager & Secretary of the Board</u> Municipality of Embu

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CHAPTER ONE INTRODUCTION

1.1 Introduction

Gender refers to cultural social differences rather than the biological perspective and thus considers the social and cultural perspective. Gender mainstreaming therefore is the process of assessing the social and cultural implications on the disadvantaged in the society. This will include Men, women, youth Children and People living with disability.

Mainstreaming is a strategy for making the concerns and experiences of the vulnerable as an integral part in design, implementation, monitoring and evaluation of policies and programmes in the political, economic and societal spheres. Mainstreaming constitutes gender-specific activities and affirmative action whenever the vulnerable are in a disadvantageous position in order to enable them participate in and benefit equally from development efforts in order to combat discrimination.

Gender mainstreaming involves bringing the experiences, knowledge and interest of the vulnerable on the development agenda. It encompasses identifying the need for change in goals, strategies and actions so that the vulnerable can influence, participate and benefit from development processes. Thus, the main goal of gender mainstreaming is the transformation of unequal social and institutional structures into equal and just structures for the vulnerable.

1.2 International Gender mainstreaming

Gender equality is a goal that has gained acceptance by governments and international organizations as it is enshrined in international agreements and commitments. Achieving greater equality between women and men requires changes at many levels, including changes in attitudes and relationships,

changes in institutions and legal frameworks, changes in economic institutions, and changes in political decision-making structures.

Gender mainstreaming was established as a major global strategy for promotion of gender equality in the Beijing Platform for Action from the Fourth United Nations World Conference on Women in Beijing in 1995. From the Economic and Social Council (ECOSOC) conclusions (1997) important overall principles for gender mainstreaming were established. The General Assembly twenty-third special session to follow up implementation of the Beijing Platform for Action (June 2000) enhanced the mainstreaming mandate within the United Nations with the ultimate goal being to achieve gender equality. Gender mainstreaming entails bringing the perceptions, experience, knowledge and interests of women as well as men to bear on policy-making, planning and decision-making.

Mainstreaming puts gender equality issues at the centre of analyses and policy decisions, medium-term plans, programme budgets, and institutional structures and processes. This required explicit, systematic attention to critical gender perspectives in all areas of the work. Mainstreaming is clearly important to enhancement of human rights and social justice for women as well as men. In addition, it recognizes that incorporating gender perspectives in different areas of development leads to effective achievement of other social and economic goals.

Mainstreaming may reveal desired changes in goals, strategies and actions to ensure that both women and men influence, participate in and benefit from development processes. This promotes changes in organization structures, procedures and cultures, to create an organizational environment which is conducive to the promotion of gender equality.

The UN Women focuses on strengthening the institutional arrangements for support of gender equality and the empowerment of women. In the report of the Secretary-General A/64/588, there was a comprehensive proposal for the Composite Entity for Gender Equality and the Empowerment of Women, in order to improve the status of women as well as monitor and report on systemwide compliance with intergovernmental mandates on gender balance, including at the senior and decision-making levels.

1.3 National Context

Kenya hosted the United Nations Third World Conference on Women in 1985 which evaluated the progress made during UN Decade for Women and devised a new course of action for the advancement of women. The result was the Nairobi Forward Looking Strategies, which provided a blueprint for action linking the promotion and maintenance of peace to the eradication of violence against women throughout the broad spectrum of society. Member states were requested to take constitutional and legal steps to eliminate all forms of discrimination against women, and tailor national strategies to facilitate the participation of women in an effort to promote peace and development.

Within this context, Kenya has taken steps in ratifying international treaties and regional conventions on gender equality and participating in forums where gender equality is canvassed. The National Gender and Equality Commission was also established to support the realization of gender equality.

1.4 Local Context

The County Government of Embu promotes gender mainstreaming through its various activities by promoting equal opportunities for special need groups in education, employment, decision-making, representation, business and implementation of projects. The Department of Gender, Culture and Social services advices and gives technical support on gender and social development

issues to the county at large. The said department sensitizes and builds capacity for women and vulnerable groups, designs and implements children participation programs and guides community development and supervises programs and institutions for children's care and development.

The Municipality of Embu is mandated to deliver services to the Embu Municipality residents, pursuant to Urban Areas and Cities Act 2011. The Constitution of Kenya (CoK) Cap 184 allows engagement of stakeholders by the Municipal management in it endeavour to deliver services. This is inclusive and not limited to having a one third rule, consideration of gender, youth and people living with disability in establishment of the Municipal Board. With respect to procurement process, the Municipality conforms to the Government of Kenya guidelines on procurement among which is Access to Government Procurement Opportunities.

1.5 Legislative Framework

a) The Constitution of Kenya 2010

The Constitution of Kenya (CoK) 2010 forms a platform for gender equality, non- discrimination and provides impetus for policy. Article 10 of the Constitution highlights such principles as equality, equity, inclusiveness and non-discrimination, up on which gender equality is anchored. In addition, Article 27 (1) stipulates that every person is equal before the law and has the right to equal protection and benefit; Article 27 (3) adds that women and men have the right to equal treatment including the right to equal opportunities in political, social, economic and cultural spheres. Consequently, the Constitution prohibits discrimination on any basis including, pregnancy, race, sex, marital status, among others. Article 27 (8) requires that not more than two thirds of the members of elective or appointive bodies are of the same gender.

The municipality of Embu in respect to the legal provisions recognizes and promotes gender equality and empowerment of women within its jurisdiction, through development and review and implementation of gender policy.

- **b)** Kenya Vision 2030 and its Medium-Term Plans;
- c) The Bottom- Up Economic Transformation Agenda (BETA), particularly on the women agenda
- d) International and regional treaties on gender equality that Kenya has ratified such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Maputo Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa;
- e) Agenda 2063 of the African Union titled 'the Africa We Want' seeking among other things to build inclusive and accountable states and institutions; and,
- f) The Sustainable Development Goal 5 (Gender Equality) and 10 (Reduced Inequalities).

1.6 Rationale for the Municipality Policy on Gender and Development

The Municipality of Embu Gender Policy seeks to ensure that both men, women, youth, children and People Living with Disability (PLWD) equitably benefit from the resources of the Municipality. It seeks to ensure attainment of gender equality by addressing the existing gender imbalances. It also provides for equal opportunities for the stated groups to actively participate and contribute to their fullest abilities in the Municipality Development.

The Policy examines situations in various sectors from a gender perspective to provide appropriate guidance, strategies, and interventions for its successful implementation. The Municipality ensures that gender mainstreaming takes root to achieve equitable and sustainable socio-economic development. In this regard, the policy has highlighted the institutional arrangements and legal

framework that will enhance broad participation in the implementation process within all its priorities.

It is therefore expected that the Municipality shall include gender mainstreaming provisions in its Integrated Development Plan, Investment Plan, and activities/ Programmes undertaken in its day-to-day management.

CHAPTER TWO

MUNICIPALITY OF EMBU GENDER POLICY

2.1 The Gender Policy Vision

The vision of this policy is a just society where men, women, boys, and girls live free of negative discrimination, marginalization, disempowerment, and violence and instead enjoy equal rights and opportunities in social, economic, and political domains of life.

2.2 Overall objective

To guide institutionalization and operationalization of gender mainstreaming in all sectors of the Municipality functions.

2.3 Specific objectives

- a) Engender Municipality policies and laws with the Constitution and domesticated international and regional treaties, conventions, protocols, and commitments to promote gender equality.
- b) Provide a framework to integrate and mainstream gender equality and empowerment approaches into the Municipality's development planning, budgeting and eventual implementation.
- c) Increase opportunities for all citizens including women and vulnerable groups to engage in development actively and productively.
- d) To increase equal representation by all genders in all spheres within the workforce and decision-making positions.
- e) Promote and support the rights-based approach across all sections bearing in mind that gender is a cross-cutting issue.
- f) Reduce gender disparities in who accesses, controls, and benefits from economic, social, political, legal, educational, health, and cultural resources, as well as wealth, opportunities, and services.

- g) Strengthen institutional structures to collect and analyze genderdisaggregated data.
- h) Define institutional frameworks and performance indicators for effective tracking, monitoring, evaluation, and reporting the implementation of gender equality and empowerment principles.

2.4 Guiding Principles

This policy is structured on the following guiding principles.

- a) Supremacy of the Constitution of Kenya, 2010.
- b) Consultative and participatory.
- c) Empowerment to give resources, voice, power, and control to men and women to make choices.
- d) Equality, diversity, inclusion, non-discrimination.
- e) Affirmative actions are taken as a corrective measure to equalize opportunities and access.
- f) Respect for the rule of law.
- g) Women's human rights and fundamental freedoms.
- h) Non-tolerance for SGBV.

2.5 The Need for a Gender Policy

Informed by the current prevailing challenges of inequality, marginalization, inadequate skills set, lack of opportunities, unfulfilled potential coupled with limited, insufficient, and isolated services and resources for women in Municipality and Embu County at large, this gender policy is therefore much needed to play a pivotal role to realize the following:

- a) Fulfillment of the demands of the Constitution especially Article 10; Chapter 4, Chapter 11, Chapter 12, and Schedule 4 and more specifically equality of treatment and freedom from discrimination asprovided for under Article 27 of the Constitution;
- b) Promotion of interoperability and consistency of approach to empower every section of the Municipality the Board and committees with a greater appreciation of gender equality practices.
- c) Legal compliance and gender mainstreaming of all sections and sectors.
- d) Enhanced transparency and professionalism in service delivery.
- e) Improved citizen confidence, trust, and support towards the Municipality and related institutions and individuals.
- f) Development and adoption of relevant gender-responsive requirements for planning, budgeting, and implementation of social, economic, and development programs.
- g) Socio-economically cohesive and gender-aware society.

2.6 Policy Statement

We confront and challenge discrimination and human rights violations based on gender, including gender-based violence, and other forms of exclusion. We also challenge stereotyping and unequal power relations between women, men, boys, and girls to promote gender equality and inclusion. We depict a culture that encompasses and demonstrates our commitment to support staff to adopt good practice, positive attitudes and principles of gender equality and inclusion.

2.7 Applicable Requirements

For effective promotion of gender equality, girls' rights and inclusion, the Municipality of Embu shall:

(i) Design, implement, monitor and evaluate quality gender transformative and

- inclusive development and influencing. Implement long-term strategies of social norm change to end injustice, challenge unequal power relations and address the root causes of discrimination;
- (ii) Integrate gender equality and inclusion measures that complement the Values and Behaviourial Framework into daily business processes, management functions and leadership. The Municipality shall cherish practices that hamper gender-based discrimination, exclusion or inequality based on gender or other forms of identity;
- (iii) Strengthen and build partnerships that promote respect for gender equality, diversity and inclusion giving particular emphasis to representative groups
- (iv) Networks, among others;
- (v) Strengthen and scale up our efforts to influence decision makers at all levels to embrace gender equality and inclusion
- (vi) Mobilize and dedicate the appropriate resources to meet the Municipality's commitments to gender equality and inclusion; and
- (vii) Monitor and evaluate the Municipality's operations from the perspective of achieving gender equality and inclusion, in order to improve the quality of our programme and influencing work, contribute to continuous learning, provide an evidence base to inform decisions, and ensure accountability to the stakeholders.

CHAPTER THREE POLICY COMMITMENTS, ACTIONS AND STRATEGIES

2.6 Thematic Issues and the Municipality of Embu Commitment

Thematic	Municipality Commitment		
Effective	The Municipality of Embu commits to:		
Governance	• Develop service charters for enhanced responsiveness to the principles of fairness, respect, equality, dignity, and accountability.		
	• Develop an accountability matrix evidencing how the Boards and Committees adhere to gender mainstreaming principles.		
Effective	The Municipality of Embu Commits to:		
Mobility and	• Enable equal access of women and men to ICT as a critical		
Connectivity	resource for development.		
	• Curb negative portrayals of gender roles and gender issues in the media.		
	Eliminate gender-biased language in local media		
	Use of gender-disaggregated data in reporting		
	• Information sharing through appropriate media, accessible by both men and women.		
Sustainable	The Municipality of Embu commits to:		
Environment	 Support and deliberately engage women in environmental restoration and conservation within the Municipality. Support women involvement in climate change to mitigation efforts. 		
Social	The Municipality of Embu commits to:		
Wellbeing	 End discrimination and exploitation everywhere including workplaces. Eliminate violence and exploitation. Grant equal rights to all persons with disabilities and others who may suffer other forms of social inequalities. Create conditions that will allow those with disabilities and other vulnerable groups to have equal access to opportunities. Strengthen sections that deal with provision of social amenities to the poor Provide gender-responsive investments to foster development, improve competitiveness and develop untapped talents that will help in breaking barriers thatlead to poverty, ignorance and conflict, and pressure on Government service delivery. 		

Competitive Economy

The Municipality of Embu commits to:

- Invest in gender-responsive human capital development.
- Invest in business enablers, pillars, and opportunities for wealth creation.
- Promote women's access and control of productive resources.
- Acknowledge women as equal partners in the workforce and economic development in public and private sectors.
- Integrate and apply gender-responsive budgeting in resource prioritization and mobilization

ROLES AND RESPONSIBILITIES All of our staff members, regardless of function or location, are responsible for the implementation of the requirements outlined in this policy. These requirements are reflected in recruitment processes, job descriptions and performance reviews of staff at all levels and in the way we hold each other to account. All senior officers are accountable for this policy. To support accountability for this policy, there will be an effective review and monitoring process, led the Gender Sub-Committee. This will include an annual review and auditing of implementation and compliance with the policy, which will be shared across the sections.

The Municipality of Embu Commits to:

- Support women to access productive assets and equipment for value addition.
- Proactively implement and monitor the 30% access to Government procurement opportunity (AGPO) program.
- Support women to access markets and market information.
- Support provision of technologies with the potential to reduce the time burden on women.
- Address and incorporate unpaid care work into its development agenda using the 3Rs framework-Recognition, Reduction, and Redistribution.
- Support women's economic empowerment strategy and policy.

2.7 Policy Actions

Theme	Policy Objective	Policy Actions
	Focus	
Effective Governance	Promote women's participation in leadership and decision-making at all levels.	 a) Support enactment and enforcement of relevant policies to conform to the Constitution and the national guidelines and standards; b) Develop effective tools for integrating gender into governance, decision making, and leadership through governance indicators, gender audits, institutional and governance review. c) Promote new attitudes, values, and behaviour and a culture of respect for men and women. d) Integrate gender equality and social inclusion in the Municipality operations. e) Develop and implement a Gender and Social Inclusion Capacity Building and Awareness Raising Programme within the County Executive public service. f) Ensure work environments are free from gender-based discrimination and violence by enforcement of available guidelines and laws.
Effective Mobility and Connectivity	Respect the human rights of women, and men, including freedom of expression, and the elimination of all negative/stereotypical presentations of gender issues at various levels of information dissemination and communication	 (a) Promote gender and women issues in the media publicly. (b) Use of gender-disaggregated data in media reporting of all development plans, initiatives, distribution of resources, and impact monitoring and reporting. (c) Curb negative portrayals of gender roles and gender issues in the media through training and building the capacity of the Municipality staff (d) Remove gender-based barriers to access to information technology. (e) Support women and men in the informal sector to access ICT as a critical resource, and to allow them to link with markets.

Sustainable Environment

Enhance land and resources access. control. and ownership by both men and women, investin resilience and capacity to mitigate climate change. and promote an effective gender-inclusive institutional framework for natural resources for management sustainable development.

- a) Identify and alleviate gender and social disparities in terms of equitable access to and control over resources, benefits, costs, and decision-making between women and men.
- b) Conduct resource mapping research for existing natural resources for equitable benefits within the municipality of Embu
- c) Mainstream gender into environmental policies, programs, and plans for the Municipality.
- d) Promote the use of alternative green energy including wind and solar within the Municipality.
- e) Develop plans that promote environment- friendly practices such as conservation agriculture, climatesmart agriculture, water harvesting, and storage, among others.
- f) Develop strategies for addressing gender inequality related to resource access and ownership, participation in decision-making, and benefitsharing.
- g) Incorporate women's role as managers, users, and beneficiaries of natural resources.
- h) Adopt proactive measures to protect women from resourcerelated physical violence and other security risks.
- i) Identify and remove barriers to create enabling conditions to build women's capacity for productive and sustainable use of natural resources.

Social Wellbeing

Ensure the realization of the rights of all persons with disabilities. and others who may suffer other forms ofsocial inequalities in the Municipality, and ensure their participation in all aspects of social, economic. and cultural life.

Policy Actions

- (a) Encourage mainstreaming of gender issues in provision of social amenities such as water, health services, roads, and other social infrastructures.
- (b) Integrate gender issues into the existing sectoral policies to enhance meeting women's practical and strategic gender needs.
- (c) Build the capacity of those charged with the responsibilities of providing social amenities to the Municipality residents.
- (d) Encourage meeting of the needs of all persons with disabilities and those who suffer other forms of social inequalities across sectors (transport and other social infrastructure)
- (e) Eliminate all forms of discrimination against the disabled and those who suffer other forms of social inequalities.
- (f) Enforce the rights of the disabled and other vulnerable groups to protection, and non-discriminatory treatment.
- (g) Grant those with disability equal access to opportunities through affirmative actions.
- (h) Develop a partnership to strengthen Civil Society Organizations working with the physically challenged (people with special needs).

Strategies of Implementation:

(a) Provisions for the special needs of persons with disabilities, inform of — granting of special physical structures in public places and appropriate transport facilities

		within the Municipality. (b) Collaborate with the relevant partners to strengthen the capacity of institutions and service providers handling SGBV. (c) Ensure that PLWDs are not treated as a homogenous group so that their specific needs are met.
Competitive Economy	Ensure that the Municipality of Embu promotes competitiveness in exploitation of opportunities for trade, manufacturing and service industry	a) Mainstream gender issues in promotion of industrialization within the Municipality b) Eliminate discrimination of either gender across all business activities c) Encourage women and girls to take up businesses that were traditionally men-dominated Strategies of Implementation: a) Ensure that all operations of the municipality enhance females to engage in manufacturing and other value addition economic activities b) Collaborate with other sections of the County government to sensitize females on taking up businesses that were traditionally men-dominated

CHAPTER FOUR

IMPLEMENTATION, MONITORING AND EVALUTION 4.1 Key Stakeholders Tasked with Implementation of the Municipality of Embu Gender Policy

The main stakeholders charged with the implementation of this policy are the Municipality of Embu in collaboration with the Department for Gender, Culture and Social Services, Office of the Governor, the County Assembly and the Legal Department. The afore-mentioned stakeholders will ensure that this Policy is implemented so that there is gender equality in all facets of the Municipality of Embu.

4.2 Monitoring and Evaluation Framework

A comprehensive M&E framework will be developed to facilitate monitoring, evaluation, learning, and knowledge management in the implementation of this policy. The M&E framework is guided by the following considerations:

- Comprehensive performance indicators-this constitutes the development of a set of matrices to measure progress toward each policy action.
- Established baseline for all indicators
- Schedule and periodic collection of performance data
 Collecting data for the identified performance indicators being a crucial step of the results-based process.

4.3 Policy Review

This Policy shall be implemented in a five (5) year period 2023-2028 and shall be subjected to mid-term review within three (3 years) to monitor progress and any significant changes that the County experiences. Every year the Municipality shall engage the stakeholders to share progress of the implementation of this policy.