



REPUBLIC OF KENYA

**OYUGIS MUNICIPALITY**

P.O Box 352-40222

**OYUGIS.**



COUNTY GOVERNMENT OF HOMABAY

# **HOMABAY COUNTY GENDER INCLUSION AND PARTICIPATION POLICY FOR MUNICIPALITIES**

2023

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***Where Diversity thrives for Co-existential Prosperity***

**#Endlesspotential**

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OFFICE OF THE SPEAKER  
HOMABAY COUNTY ASSEMBLY  
9<sup>th</sup> AUG 2023  
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PO BOX 200, HOMA BAY

**HOMABAY COUNTY ASSEMBLY**  
**THIRD ASSEMBLY (SECOND SESSION)**

13 AUG 2023

**REPORT**

OF

**THE YOUTH, SPORTS, TALENT DEVELOPMENT, GENDER  
INCLUSIVITY, CULTURAL HERITAGE AND SOCIAL  
SERVICES COMMITTEE**

ON:

**HOMA BAY COUNTY GENDER INCLUSION AND  
PARTICIPATION POLICY FOR MUNICIPALITIES**

**Published By:**

DEPARTMENT OF LEGISLATIVE AND COMMITTEE SERVICES  
HOMABAY COUNTY ASSEMBLY  
HOMABAY  
AUGUST, 2023

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(i) Gender Inclusivity and Participation Framework Municipal Board	

## **1.0 PREFACE**

### **1.1 General mandate of the Committee**

Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services Committee is established pursuant to the provisions of the Standing Order No.195 (1) and the general functions outlined in the Standing Order No. 195(5) which include:

- Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
- Study the program and policy objectives of departments and the effectiveness of the implementation.
- Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives
- Investigate and inquire into all matters relating to the assigned department as it may deem necessary and as may be referred to them by the House.
- Study and review all County legislation referred to it.
- Vet and report on all appointments where the Constitution or any law requires the House to approve, except those under Standing Order 188(committee on Appointments)
- Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.
- Scrutinize the resolutions of the House on adopted Committee reports.

### **Specific mandate**

The committee was specifically mandated to scrutinize the Homa Bay County Gender Inclusion and Participation Policy in Municipalities and table a report in the House as soon as practicable.

## **1.2 COMMITTEE MEMBERSHIP**

The committee comprises the following members:

<b>NO.</b>	<b>NAME</b>	<b>WARD</b>	<b>RANK</b>
1.	Hon. Miruka Paul Barry	Kakelo Kokwanyo	Chairperson
2.	Hon. Onyango Susan Akoth	Gwassi South	Vice-Chairperson
3.	Hon. Odhiambo Billy Noah	West Kamagak	Member
4.	Hon. Obuya Victor Okoth	Wangchieng'	Member
5.	Hon. David Hamilton	Kagan	Member
6.	Hon. Ware Patrick Ogeja	West Gem	Member
7.	Hon. Oloo David Odhiambo	Kanyamwa Kologi	Member
8.	Hon. Molo Reuben Odhiambo	Gembe	Member
9.	Hon. Omollo Erick	Homa Bay East	Member
10.	Hon. Oking Samwel Okomo	Rusinga Island	Member
11.	Hon. Odundo Caroline	MCA	Member
12.	Hon. Orony Milka Adoyo	MCA	Member
13.	Hon. Owidi Erick	MCA	Member
14.	Hon. Otieno Evalyne	MCA	Member
15.	Hon. Oweje Margaret Akinyi	MCA	Member










## **1.3 Committee Secretariat**

1. Ms. Osuri Dorcas -Legal Officer
2. Mr. Stephen Ojako -Committee Clerk
3. Ms. Vera Oteng' -Committee Clerk
4. Mr. Calvince Wambalo - Sergeant-at-arms
5. Ms. Sharon Anyango - Hansard
6. Ms. Eunice Ombati -Human Resource officer

#### 1.4 ADOPTION OF THE COMMITTEE REPORT

We, the members of Committee on Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services pursuant to standing order 180, have adopted this report and append our signatures to affirm our approval and confirm its accuracy and authenticity:

Date: 08-08-2023

1. Hon Paul Bamy	Chairperson	
2. Hon Susan Oryango	Vice Chair	
3. Hon. EMMY NEMH	Member	
4. Hon. Nnamdi Eze	Member	
5. Hon NANA ERWT	Member	
6. Hon CAROLINE ODUNDO	Member	
7. Hon SAMUEL OROH	Member	
8. Hon VICTOR OBUYA	Member	
9. Hon D. O. Oloo	Member	

### 1.5 Acknowledgement

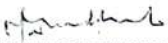
The Sectoral Committee on Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services takes this opportunity to thank the offices of the **Speaker** and of the **Clerk** for the support accorded to it during the preparation of this report.

The Chairperson takes this opportunity to thank the Committee members for their input and valuable contributions during deliberations and report writing exercise.

The Committee is grateful to the staff of the County Assembly attached to the committee for services rendered to the committee. Their effort and input made the work of the committee and the production of this report possible.

On behalf of the Committee on Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services, it is therefore my pleasant duty to present this report to the House.

Signed.....

  
Hon. Miruka Paul Barry

Chairperson,

Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage  
and Social Services Committee

Date:.....

08-11-2023

## **1.6 Committal to the Committee**

On 13<sup>th</sup> July 2023, Office the Speaker received the Homa Bay County Gender Inclusion and Participation Framework for Municipal Boards 2023 from the department of Gender Equality and Inclusivity, Youth, Sports, Talent Development, Cultural Heritage and Social Services aimed at addressing issues hampering gender equality within the Homa Bay County municipalities. The policy also aims at reinforcing legislative framework already in force alongside other legislations.

During a plenary sitting held on **25<sup>th</sup> July 2023**, the Honourable Speaker vide Communication No. (037)2023 committed the document to Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services committee for scrutiny and tabling of a report in the House as soon as practicable.

The Policy was developed and submitted to the County Assembly pursuant to the provisions of Article 185(2) of the Constitution of Kenya, 2010.

Article 185 (2) of the Constitution of Kenya, 2010 provides that;

*“A County Assembly may make any laws that are necessary for, or incidental to, the effective performance of the functions and exercise of the powers of the county government under the fourth schedule.*



equality, job segregation, lack of legal protections, poor medical care, lack of adequate political representation and societal mindsets.

Chapter three is about the strategies and interventions to promote gender inclusion and participation. This is to expound on how the County Government of Homa Bay will put certain measures in place to bridge the gap on gender inequality. The policy framework is geared towards ensuring gender equality and women empowerment in the social, economic, political and cultural spheres as envisaged in the Constitution. The framework will endeavour to establish and strengthen Affirmative Action efforts aimed at reducing gender inequalities and geographical disparities in the distribution of natural resources and access to productive resources such as land, labour, finances, information and technology. The development of this policy is influenced by international and national instruments for Gender Equality that emphasize gender mainstreaming as the key strategy for the achieving development. It is also informed by the constitutional dispensation and transformation, the socio-economic environment and other national orientations. Those measures to be taken include;

1. Increasing female labour market participation and economic independence of women and men.
2. Reducing the gender pay, earnings and pension gaps and thus fighting poverty among women.
3. Promoting equality between women and men in decision-making.
4. Combating gender-based violence, protecting, and supporting victims.
5. Increasing and support women's representation in leadership and decision-making to redistributing care-work and productive resources.

Chapter four is about resource requirements. The successful implementation of this policy will require adequate financial, human and technical resources to ensure effective and efficient implementation for desired policy outcomes.

Funding will be sought from the county government of Homa Bay which will commit a fraction of the budget to address the gender inequality issues. Additional support will be sought from development partners and Non-State Actors. The strategies include:

1. Needs assessment and analysis for each municipality
2. Advocacy and communication to all stakeholders in the municipalities
3. Coordination and information management across the project cycle.

## **2.0 BACKGROUND**

Gender inequality is discrimination on the basis of sex or gender causing one sex or gender to be routinely privileged or prioritized over another. Gender equality is a fundamental human right and that right is violated by gender-based discrimination.

## **3.0. GENERAL OUTLOOK OF THE POLICY**

Chapter one of the policy introduces the gender inclusion and participation framework for Municipal Boards and gives a history of what the gender imbalances have been like in the community and its effect.

The overall objective is to ensure gender inclusion and participation in the planning and design process of the project as stakeholders and partners with shared decision-making power in Homa Bay County Municipalities.

Chapter two is in regards to the situation analysis. This section provides a broad sectoral overview of the critical issues which impact on Homa Bay County's progress towards gender equality. The situational analysis focuses on key development sectors that are thematically sequenced for action and gender related treaties and conventions. This policy has also been aligned with current development blueprints. A range of gender-related challenges and problems have been identified in each thematic area and key issues identified. The framework also emphasizes the relationships between and among students and teachers and boys and girls, implying the need to transform deeply ingrained behaviours and gender norms that have negative impacts on the aspirations and life choices of girls and boys. The girl child is discriminated against from the earliest stages of life, through her childhood and into adulthood. In some communities' girls are exposed to female genital mutilation, child marriages, sexual abuse, and sexual exploitation. Due to the entrenched social-cultural and religious attitudes, girls are often treated as inferior and are socialised to consider themselves of less value compared to men. This leads to a lifetime marginalisation of girls. Statistics indicate that girls in rural areas are more likely to be married by the time they turn 18 years, than their peers who live in urban areas..

There is an urgent need to ensure that the interests of the girl child are considered. Some of the key areas that are ripe for Analysis of the underlying Causes of Gender disparities and Inequalities include; Uneven access to education, lack of employment

4. Partnership development across all the municipalities
5. Lobbying for resources from various stakeholders
6. Fund Drives

Chapter five is in regards to Monitoring and Evaluation. The monitoring framework will outline the indicators and monitoring processes to be adapted. The monitoring and evaluation framework will include policy objectives, programmatic strategies, activities, outcomes, outputs and indicators that will guide performance and policy progress reviews. The framework will be evaluated at Municipalities levels through the key monitoring activities which will consist of: Stakeholder monitoring visits to measure progress of output and measure indicators; Develop framework for measuring milestones; Mid and end term reviews of the framework; Identify best practices as informed by programmatic mechanisms; and Quarterly review meetings to measure the performance indicators.

## **FINDINGS ON HOMA BAY COUNTY GENDER INCLUSION AND PARTICIPATION POLICY IN MUNICIPALITIES**

**1. It conforms to various provisions of the constitution and other relevant legal frameworks. This includes the following;**

[a] **Article 232[1][d]** of the constitution of Kenya, 2010 which provides that;

*'The values and principles of public service include involvement of the people in the process of policy making.'*

There was evidence that relevant stakeholders were involved when the policy was being drafted hence it meets the required constitutional thresh hold.

[b] **Article 27[3]** of the Constitution of Kenya, 2010 which provides that;

*'Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.'*

The policy aims at ensuring that women and men have the right to equal treatment in the five municipalities of Homa Bay County.

[c] **Article 27[6]** of the constitution of Kenya 2010 which provides that;

*'To give full effect to the realisation of the rights guaranteed under this Article, the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.'*

The policy is one of the legislative steps taken by Homa Bay County Government as an affirmative action program designed to redress any disadvantage likely to be suffered by individuals or groups within the five municipalities.

[d] **Article 60[1][f]** of the constitution of Kenya, 2010 which provides that;

*'Land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and in accordance with the following principles; elimination of gender discrimination in law, customs and practices related to land and property in land'.*

The policy will help in ensuring that there is elimination of gender discrimination related to land ownership within the five municipalities.

[e] **Sessional Paper No. 02 of 2019 on National Policy on Gender and Development** which became operational on October 2019 aimed at creating a just, fair and transformed society free from gender-based discrimination in all spheres of life practices in Kenya.

[f] **Section 5[2] of the Succession Act, 2012** which provides that;

*'A female person, whether married or unmarried, has the same capacity to make a will as does a male person.'*

This implies that any person, whether a male or female, married or unmarried has the same capacity to make a will within the five municipalities. This is aimed at ensuring that there is gender parity in matters of succession which play critical role in social and economic development.

[g] **Section 4 of the Matrimonial Property Act, 2013** which provides that;

*'Despite any other law, a married woman has the same rights as a married man; (a) to acquire, administer, hold, control, use and dispose of property whether movable or immovable; (b) to enter into a contract; and (c) to sue and be sued in her own name.'*

2. The title of the document had various alterations that should be incorporated such as;

(a) Reference to the legislative document as a **"framework"** is broad since it is not a legislative term to be processed and possibly passed by a legislative body such as the County Assembly hence ought to be replaced with the word **"policy"**.

(b) reference to the Municipal Boards is erroneous as it gives the implication that the policy will only be limited to the day -to-day management of the Municipal Boards within Homa Bay County and not the municipalities as a whole. This can be problematic as the Municipal Board is a semi-autonomous body corporate with the mandate to come up with its own regulations.

(c) The title ought to begin with **"Homa Bay County"** in order for the policy to be identified as a legislation of Homa Bay County.

3. There was public participation conducted on the document in consonance with the provisions of Articles 10, 196 and 232

Article 196(1) of the constitution of Kenya 2010 provides that; a County Assembly shall-

*(a) conduct its business in an open manner and hold its sittings and those of committees in public; and*

*(b) facilitate public participation and involvement in the legislative and other business of the assembly and its committees.*

4. In Monitoring and Evaluation, there are no baseline surveys and performance indicators. Furthermore, the County Assembly is not considered yet it should be the last line of Monitoring and Evaluation given its oversight role provided in **Article 183(3) and 185[3]** of the constitution of Kenya, 2010 and **Section 8[1][b]** of the CGA, 2012.

**Article 183(3)** of the constitution of Kenya 2010 provides that;

*'The County executive committee shall provide the County Assembly with full and regular reports on matters relating to the County.'*

**Article 185[3]** of the constitution of Kenya, 2010 provides that;

*'A County Assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.'*

**Section 8[1][b]** of the County Government Act, 2012 provides that;

*'The County Assembly shall perform the roles set out under Article 185 of the Constitution.'*

5. The County Government has established clear plans, interventions and has further committed to allocate a fraction of the budget to finance the policy. It will further from time to time mobilize resources in collaboration with other partners on issues pertaining to gender inclusivity and participation in urban planning for the municipalities.

6. The policy has made reference to a couple of statistical data without providing the data source thus making the data referred to ambiguous.

7. The policy takes into account emerging issues in the world today such as **climate change**. While the link between gender and climate change has not always been obvious, there is increasing evidence to demonstrate that women and men experience climate change differently; that climate change increases women's vulnerability; and gender inequalities worsen women's coping capacities [Prof Patricia Kameri Mbote, 2018].

The policy takes into account the fact that climate change is predicted to accentuate the gaps between rich and poor, as people living in poverty are more vulnerable. Perspectives, responses and impacts surrounding disaster events vary for men and women. They experience environmental change differently because they have different sets of responsibilities and vulnerabilities, as well as unequal capabilities and opportunities for adjustment. Generalisations may also mask other **climate change** related causes of vulnerability, such as droughts, hazards and famine, including how these affect different groups of men and women.

This policy takes cognizance of the fact that the principal issues to consider in gender and climate change include the causal interrelationship between climate change and gender: climate change tends to exacerbate existing gender inequalities (gender inequalities result in women having to face larger negative impacts); women are not just victims but active agents of change and possess unique knowledge and skills, and; understanding the risks and different impacts of climate change on men and women is key to achieving Sustainable Development Goals.

The policy takes into consideration the gender climate change nexus which is usually conceptualised at three levels. Firstly, the negative impacts of climate change aggravate gender inequalities. Secondly, those gender inequalities result in different experiences for women during natural disasters such as floods and droughts. Thirdly, **women tend to be perceived as victims only**; for this reason they are sidelined when decisions are made that relate to adaptation measures. Thus, the knowledge and relevant ideas possessed by women from their day-to-day experiences are not taken into account.

8. The term "framework financing" has been erroneously included in chapter five which is about monitoring and evaluation yet it should have been included under chapter four on resource and funding since it is about the financing of the policy.

9. The policy draws clear distinctions and demonstrate interrelationship between the concept of gender parity, gender equity and gender equality. The policy also reinforces other key concerns in addressing the injustices resulting from gender bias, gender equality approach to achieving full participation.



## **5.0 RECOMMENDATIONS ON HOMA BAY COUNTY GENDER INCLUSION AND PARTICIPATION POLICY IN MUNICIPALITIES**

1. The policy's title should be amended to read, "**HOMABAY COUNTY GENDER INCLUSION AND PARTICIPATION MUNICIPALITIES POLICY, 2023**"

2. The policy should be implemented in totality taking cognizance of the various provisions of the Constitution and other relevant legal frameworks.

3. Besides **climate change**, the policy should also take into consideration other emerging issues such as Blue Economy.

4. In **Monitoring and Evaluation**, the County Assembly should be considered as an external evaluator since it is the last line given its oversight role provided in **Articles 183, 185[3]** of the constitution of Kenya, 2010 and **Section 8[1][b]** of the County Government Act, 2012.

5. Clause 5.2 on financing framework in page 13 should be moved to page 12 under chapter 4 which is about resource requirements.

6. The policy should cite the data sources referred to in the policy so as to legitimize the said sources.

7. The department of Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services should strengthen their resource mobilization initiatives and partnerships to facilitate engagement with development partners in the county and national government dealing with gender inclusion and participation.

## **6.0 CONCLUSION**

Upon the deliberation of the committee, it was unanimously agreed that the observations from the policy are few and do not have a grievous impact on it. The committee therefore recommends that the policy be approved taking into consideration the proposed recommendations.

**7.0 PRAYER**

The committee on Youth, Sports, Talent Development, Gender Inclusivity, Cultural Heritage and Social Services prays that this Honourable House do adopt this report.

**COUNTY GOVERNMENT OF HOMA BAY**



**GENDER INCLUSION AND PARTICIPATION FRAME WORK  
OYUGIS MUNICIPALITY**

**OYUGIS MUNICIPALITY**  
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COUNTY GOVERNMENT OF HOMA BAY  
Date: \_\_\_\_\_

## BACKGROUND

Homa Bay County has experienced various forms of disasters, e.g., Soil erosion, floods, riverbank erosion and droughts causing massive loss of life and property almost every year [Homa Bay Energy Policy]. The susceptibility to disasters of the county is related to the geomorphologic conditions and geographical location along with social and cultural challenges. The mortality rate of women, adolescent girl and children are higher compared to men due to disaster events. Homa Bay County is one of the most vulnerable counties to disasters in the world. Women, children, elderly, persons with disabilities, and adolescent girls are at the greatest risk of being affected by disaster and climate change. For ensuring an inclusive approach in project risk management, it is essential to include a gender perspective in the County gender inclusive framework.

Gender inequality is discrimination on the basis of the basis of sex or gender to be routinely privileged or prioritized over another. Gender equality is a fundamental human right and that right is violated by gender-based discrimination.



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COUNTY GOVERNMENT OF HOMABAY  
Date: .....

## **CHAPTER 1: INTRODUCTION**

This chapter introduces the gender inclusion and participation framework for Municipal Boards and gives a history of what the gender imbalances have been like in the community and its effect. Homa Bay County is one of the most vulnerable counties to disasters in the world. Women, children, elderly, persons with disabilities, and adolescent girls are at the greatest risk of being affected by disaster and climate change. For ensuring an inclusive approach in project risk management, it is essential to include a gender perspective in the County gender inclusivity framework.

### **1.1 Goals**

The goal of the policy is to ultimately eliminate Gender inequality and discrimination in Homa Bay County municipalities through a multi-sectoral approach in program implementation.

### **1.2 Purpose**

To involve all the state and non-state actors in the implementation of laws and policies that strengthens programs for gender inclusivity and participation.

### **1.3 Vision**

Municipalities free from all forms of gender discrimination and inequality and upholds equal human rights and dignity for all its citizens.

### **1.4 Policy Objectives**

#### **1.4.1 Overall Objective**

The overall objective is to ensure gender inclusion and participation in the planning and design process of the project as stakeholders and partners

#### **1.4.2 Specific Objectives**

With shared decision-making power in Homa Bay County Municipalities.

To actively include and promote the agency of women, girls, and sexual and gender minorities of all ages and PWDs in planning and design decision-making processes

To Systemically combat the gendered imbalances in the built environment that prevent these groups from enjoying equal access, mobility, safety, health, climate resilience, and security of tenure..

To Create gender-inclusive municipalities that support the full social and economic inclusion of women, girls, and sexual and gender minorities of all ages and abilities.

To advance gender equity and unlock more inclusive global economic and social development in the municipalities.



## 1.5 Guiding Policy Principles

- National policy against gender-based violence 2014 and Sessional Paper No.2 of 2019 on National Policy on Gender and Development. Kenya is committed to ensure promotion of gender equality and empowerment of women. The government is bestowed with the powers to prevent and provide timely response to all forms of SGBV.
- Consideration of harmful traditional practice. Gender based violence is manifested because of misunderstanding and misguided toxic cultural values and norms in the society.
- Laws and policies against GBV and which promote human rights and development. The legislative framework consists of laws that regulate roles and responsibilities of persons in the society.
- Responsibility of National and County Government, communities, and Individuals. Elected, nominated, and appointed leaders have a crucial role in preventing Sexual and Beijing Convention (1995)
- Gender mainstreaming policy (2021)
- Women Economic Empowerment Strategy (2020-2025)
- Witness Protection Act (2020)
- Homa Bay County Sexual and Gender Based Violence Policy ( 2023 )
- HIV/ADS Prevention and Protection Act (2021)
- Succession Act (2012)
- Gender Policy (2010)
- Sexual Offences Act (2017)
- Gender Based Violence and in providing support its entire citizen.
- Children's Act (2022)
- Penal code (2020)
- Disability policy (2013)

## 1.6 Approaches adopted to Policy Implementation

### Human Rights Based Approach

Human Rights have been central pillar of the United Nation's work from its inception in 1945 with the adoption of the Charter of the United Nations. We can proudly celebrate having given birth to a normative era in which the international community, inspired by the Universal Declaration of Human Rights, has produced an outstanding corpus of international norms and standards for a life of dignity and well-being for all.

The human rights-based approach (HRBA) is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyze inequalities that lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress and often result in groups of people being left behind.

Under the HRBA, the plans, policies and processes of development are anchored in a system of rights and corresponding obligations established by international law, including all civil, cultural, economic, political and social rights, and the right to development. HRBA requires human rights principles (universality, indivisibility, equality and non-discrimination, participation, accountability) to guide United Nations development cooperation, and focus on developing the capacities of both 'duty-bearers' to meet their obligations, and 'rights-holders' to claim their rights.

While there's no universal recipe for a human rights-based approach, United Nations agencies have nonetheless agreed a number of essential attributes in the 2003 Common Understanding on HRBA to Development Cooperation, which indicates that: All programmes of development cooperation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.

Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process.

Development cooperation contributes to the development of the capacities of 'duty-bearers' to meet their obligations and/or of 'rights-holders' to claim their rights.

The Universal Human Rights Index is a tool designed to facilitate access to human rights recommendations issued by the United Nations' human rights mechanisms, including the nine treaty bodies established under the international human rights treaties, the special procedures and the Universal Periodic Review (UPR) of the Human Rights Council. The UNSDG has produced guidance on strengthening strategic engagement with the human rights machinery.

HRBA is one of the six Guiding Principles of the United Nations Sustainable Development Cooperation Framework.

### **1.6.1 Gender Responsive Approaches**

Intentionally employing gender considerations to affect the design, implementation and results of programmes and policies. Gender-responsive programmes and policies reflect girls' and women's realities and needs, in components such as site selection, project staff, content, monitoring, etc. Gender-responsiveness means paying attention to the unique needs of females, valuing their perspectives, respecting their experiences, understanding developmental differences between girls and boys, women and men and ultimately empowering girls and women.

#### **Integrative and collaborative Approach**

A governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programs or assets.

### **1.6.2 Peaceful Masculinities Approach**

This involves questioning the masculine values and norms that society places on men's behavior, identifying and addressing issues confronting men and boys in the world of work, and promoting the positive roles that men and boys can play in attaining gender equality.

#### **Women, Peace, and Security Approach**

Women, Peace and Security (WPS) are a policy framework that recognizes that women must be critical actors in all efforts to achieve sustainable international peace and security. WPS promotes a gendered perspective and women's equal and meaningful participation in peace processes, peace building and security.

### **1.6.3 Intersecting Identities Approach**

An intersectional approach means that policymakers (and analysts): Do not give a higher status to any one social category's inequality or experience of discrimination but encourages us to focus on complex relationships and interactions.

### **1.6.4 Public Participation Approach**

Participation of the public is the deliberative process by which citizens, civil society organizations, and government actors are involved in policy-making and implementation before decisions are made.

### **1.6.5 Accountability and Social Mobilization**

Community engagement and accountability (CEA) is a way of working that recognizes and values community members as equal partners. It makes sure their opinions are heard and used to design and guide our work.

### **1.6.6 Evidence Based Approach**

Evidence based policymaking refers to the method of policy development that consults facts and credible, relevant evidence to make decisions, over political opinion or theory.

## CHAPTER 2: SITUATION ANALYSIS

### 2.1 Introduction

Gender Analysis refers to the variety of methods used to understand the relationships between men and women, their access to resources, their activities and the constraints they face relative to each other. Gender inequality and discrimination still prevail across the globe despite many organizations working towards closing the gap.

Therefore this gender inclusive and participation frame work will help to bridge the gap in gender inequality for the communities in Homa Bay County Municipalities.

This Frame work is 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 Homa Bay County, this gender inclusion and participation Frame work is therefore much needed to play a pivotal role to realize the following:

Fulfillment 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 as provided for under Article 27 of the Constitution;

Promotion of interoperability and consistency of approach to empower every sector, department, board, and committee with a greater appreciation of gender equality practices;

Repeatability to ensure every citizen in the two municipalities are treated equally and involved in decision making throughout the project cycle;

Legal compliance and gender mainstreaming of all sectors; and

Enhanced transparency and professionalism in service delivery for all citizens in the two municipalities

### 2.2 Scope of the Gender Inclusion and Framework

The Gender Equality Framework draws clear distinctions and demonstrates interrelationships among the concepts of gender parity, gender equity, and gender equality. In addition to drawing out the nuances between equity and equality, the framework reinforces other key concerns such as access, quality, continuity, relevance, and learning outcomes. The framework also emphasizes the relationships between and among students and teachers and boys and girls, implying the need to transform deeply ingrained behaviors and gender norms that have negative impacts on the aspirations and life choices of girls and boys. Gender equality is a broad concept that is best understood within the wider context of social exclusion—the systematic discrimination of individuals based on characteristics such as ethnicity, race, sex, economic status, place of residence, language, or health status. Working children, indigenous children, street children, domestic workers, and children who are physically challenged, affected by HIV or AIDS, or living in conflict areas often do not have their educational needs met. In addition to addressing the injustices resulting from gender bias, gender equality approach to achieving full participation needs to operate within the larger sphere of social justice so all children have a chance to succeed.

### 2.3 Assessment of Gender Disparities, Inequalities and Barriers in the County

Gender inequality is a very serious problem that affects almost all societies especially in Kenya. Homa Bay County is not an exceptional. Homa Bay County tends to suffer from this problem more due to cultural structure that promotes male superiority and female victimization. This is done by the type of role African cultures allocate to men and women. Men are given the more prominent, sophisticated roles while women are given subordinate roles which are somewhat looked down upon. They are not willing to look at the bigger picture of how giving women more favorable roles might actually help in the development process. This framework will help eliminate some discriminatory roles that African cultures have allocated to men and women.

### 2.4 Analysis of the underlying Causes of Gender disparities and Inequalities

Over the years, the world has gotten closer to achieving gender equality. There is better representation of women in politics, more economic opportunities, and better healthcare in many places of the world. However, the World Economic Forum estimates it will take another century before true gender equality becomes a reality. Some of the causes of gender inequality:

#### 1. Uneven access to education

Around the world, Kenya and in Homa bay County women still have less access to education than men. ¼ of young women between 15-24 will not finish primary school. That group makes up 58% of the people not completing that basic education. Of all the illiterate people in the world, ¾ are women. When girls are not educated on the same level as boys, it has a huge effect on their future and the kinds of opportunities they will get.

#### 2. Lack of employment equality

Only six countries in the world give women the same legal work rights as men. In fact, most economies give women only ¼ the rights of men. Studies show that if employment became a more even playing field, it has a positive domino effect on other areas prone to gender inequality.

#### 3. Job segregation

One of the causes for gender inequality within employment is the division of jobs. In most societies, there's an inherent belief that men are simply better equipped to handle certain jobs. Most of the time, those are the jobs that pay the best. This discrimination results in lower income for women. Women also take on the primary responsibility for unpaid labor, so even as they participate in the paid workforce, they have extra work that never gets recognized financially.

#### 4. Lack of legal protections

According to research from the World Bank (2018), over one billion women don't have legal protection against domestic sexual violence or domestic economic violence. Both have a significant impact on women's ability to thrive and live in freedom. In many countries, there's also a lack of legal protections against harassment in the workplace, at school, and in public. These places become unsafe and without protection, women frequently have to make decisions that compromise and limit their goals.

## 5. Poor medical care

In addition to limited access to contraception, women overall receive lower-quality medical care than men. This is linked to other gender inequality reasons such as a lack of education and job opportunities, which results in more women being in poverty. They are less likely to be able to afford good healthcare. There has also been less research into diseases that affect women more than men, such as autoimmune disorders and chronic pain conditions. Many women also experience discrimination and dismissal from their doctors, broadening the gender gap in healthcare quality.

### **2.5 Key Focus Areas in Gender Inclusion Participation**

Gender role focus on social construction of identities within the household and community, it also reveals the expectations from 'maleness and femaleness' in their relative access to resources. The main focus will be on Preventing and combating gender stereotypes and sexism, Prevent and combat violence against women and domestic violence, Ensure the equal access of women to justice and achieving a balanced participation of women and men in political and public decision-making, equal pay for work of equal value, Provide leadership and empower the vulnerable and marginalized groups and Involve the minority groups in planning and designing of the project in Homa County Municipalities.

## **CHAPTER 3: STRATEGIES AND INTERVENTIONS TO PROMOTE GENDER INCLUSION AND PARTICIPATION**

Strategies are high-level organization plans that help in achieving one or more project goals under conditions of uncertainty. It involves setting goals, determining actions to achieve the goals and mobilizing resources to execute the actions. The following strategies will be used to promote gender inclusion and participation:

Increasing female labour market participation and economic independence of women and men.

Reducing the gender pay, earnings and pension gaps and thus fighting poverty among women.

Promoting equality between women and men in decision-making.

Combating gender-based violence, protecting, and supporting victims.

Increasing and support women's representation in leadership and decision-making to redistributing care-work and productive resources.

## **CHAPTER 4: RESOURCE REQUIREMENTS**

Project managers should establish resources needed to execute the work on the project and have a clear plan, confirm availability of funds to reduce cost, improve efficiency and boost productivity before the project initiation. Always prioritize the project needs based on availability of resources. For human resource always check the skills required and the equipment that will be needed to execute the various functions.

### **4.1 Resource Mobilization Strategies**

The County government of Homa Bay shall from time-to-time mobilize resources in collaboration with partners to address issues of gender inclusivity and participation in urban planning for the municipalities. Some of the strategies that will be involved include:

Needs assessment and analysis for each municipality

Advocacy and communication to all stakeholders in the municipalities

Coordination and information management across the project cycle.

Partnership development across all the municipalities

Lobbying for resources from various stakeholders

Fund Drives

### **4.2 Resource Allocation for Gender Inclusion and Participation**

This will be vested on equity, demographic distribution, socio economic disparities and need for distribution for each municipality.



## CHAPTER 5: MONITORING AND EVALUATION

M&E Will identify and resource for specially- commissioned impact assessment, case studies and specialist technical evaluations.

Monitoring and evaluation will be at various levels; Monitoring will be undertaken to facilitate information dissemination and sharing. The evaluation will seek to attain the achievement of outputs and impact at the objectives level and confirm that Program activities have been carried out effectively and to appropriate quality standards.

This Framework will outline the monitoring and evaluation framework as informed by the sector specific M&E plans. The monitoring framework will outline the indicators and monitoring processes to be adapted. The monitoring and evaluation framework will include policy objectives, programmatic strategies, activities, outcomes, outputs and indicators that will guide performance and policy progress reviews.

The framework will be evaluated at Municipalities levels through the key monitoring activities which will consist of:

- Stakeholder monitoring visits to measure progress of output and measure indicators;
- Develop framework for measuring milestones;
- Mid and end term reviews of the framework;
- Identify best practices as informed by programmatic mechanisms; and
- Quarterly review meetings to measure the performance indicators.

### 5.1 Framework Review

This framework may be reviewed after every three years to address emerging issues and changes on the social economic trends in Homa Bay County.

### 5.2 Framework Financing

The County Government of Homa Bay, which will commit a fraction of the budget to address the gender inequality issues, shall finance the framework

### 5.3 Resource Mobilization

The county Government of Homa Bay shall from time-to-time resource mobilize in collaboration with partners to address gender inequality and public participation issues.

### 5.4 Gender – Sensitive Indicators and Data Collection Methods

A gender-sensitive indicator is simply an indicator that measures gender-related changes in society over time. By identifying the changes in the status and roles of women and men that we want to achieve and knowing how we will measure them, we can analyze our programme outcomes to see whether we are contributing to gender equality. Using gender-sensitive indicators can also help us to understand how changes in gender relations happen, which enables more effective planning and delivery of future work. The indicators measures:

The gap between men and women;

The different roles, responsibilities and access to resources of different members of society;  
Gauge progress towards achieving gender equality goals

Require data to be disaggregated by sex, age and other variables

Require a gender analysis of data;

Encourage the integration of gender equality issues from the planning of a policy,  
Programme or project right through to implementation, monitoring and evaluation;

Demonstrate the impact of changes in power relations between women and men.

The County Government of Homa bay is committed to putting women's rights at the heart of its functions and activities and ensures two thirds gender rule is achieved in all the sectors. A gender analysis will be conducted at the onset of all projects to identify inequalities and formulate strategies to address them.