

**Capacity Building to Lobby and Advocate for Gender
Inclusion in National Policy Changes under Economic
and Governance Reforms**

**FIDA Kenya
Semi Annual Technical Progress Report
November 2003- April 2004**

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Contract Period: 09/15/ 03-12/14/04

**Request For
Application No.:** 623- 03- 013

Project Duration: 2003-2004

Project Budget: \$ 144,000

Background

The purpose of this project is to build FIDA Kenya's capacity to Lobby and Advocate for Gender Inclusion in National Policy Changes under Economic and Governance Reforms. The project's objective is to enable FIDA Kenya implement key components of the **Rights Team**. Towards achieving the above, the USAID Mission to Kenya extended a grant of \$144,000 to FIDA Kenya for the period November 2003 to December 2004.

This progress report seeks to capture the implementation of activities so far and the progress achieved.

Objective

The project's activities contribute to FIDA Kenya's strategic objective of improving the legislative and policy framework for women's rights so as to ensure that a legislative order is created that takes into account the centrality of women's rights. Activities under the project have enhanced FIDA Kenya's strategic role of lobbying, advocacy and coalition building with key governance and legislative arms in an effort to enhance commitment to influence policy and legislation that protects women and redresses gender discrimination. The activities supported and implemented under the project are detailed as follows:

Activities Supported

(1) Compilation and collation of reports submitted by field-based monitors and analysis for trends for purposes of periodic and annual reporting.

Community based monitors conducted issue-based monitoring focusing particularly on women's rights violations and gender-based violence (GBV). A total of 267 quality reports were received for the period November 2003 – April 2004. There has been a marked increase in the submission of reports, which may be attributed to the increase in the level of awareness on women's rights violations as well as the increase in the number of violations.

The nature of violations reported include 150 cases of physical abuse, which includes slapping, punching, kicking, use of objects and burning. Cases of denial of rights to access/inherit land totaled 152 while 372 cases of psychological abuse were reported including intimidation, verbal abuse, confinement, threats and deprivation of basic needs.

The data shows that most of the violations committed are pre-dominantly in the domestic sphere. Married women with children are more prone to violence as compared to single women. The data collected reported 158 married women as survivors of violence, while single women totaled 29, widowed women were 23, and those separated totaled 33. Of these, 228 women had children. Hence, women are more prone to violence in the domestic situation, particularly those in marital/intimate relationships, and more so for those with children. This is further confirmed by the

number of cases that husbands were reported to have been perpetrated, which totaled 166, while relatives were responsible for 57 cases.

The data reveals that reporting of cases has increased. This could be attributed to the increase in awareness levels as well as the increase in the number of violations. The increase in the number of violations can be attributed to the increased level of poverty. Data collected reveals that a majority of the women violated are not employed (153 cases). Most women will fear reporting such matters for fear of loss of financial security. This is particularly so for the sake of the children, as most are dependent on their husbands for sustenance. 77 cases reported 'the children' as reasons for staying in a violent relationship, while 44 cases cited economic reasons.

The above is mainly due to the absence of a legal framework that regulates and redresses domestic violence. This is exacerbated by the failure of the government to pass the Domestic Violence (Family Protection) Bill, which seeks to address domestic violence and the effects it has on its victims (majority of who are women and children).

During the reporting period, the community-based monitors were paid their allowances accordingly, thus enabling them the means to collect data effectively. The data collected has been used to inform the FIDA Kenya Annual Report, 'Step by Step: Forwards or Backwards?' which has been shared with policymakers and various stakeholders in order to influence policy debate. In addition, the data was compiled into fact sheets that were published and disseminated to the community and partner organizations as well as the media. This enabled us share the statistics of women's rights violations and highlight the most prevalent forms of violations that are faced by women at the community level.

(2) Hosting of Bi- Annual Policy Forum

FIDA Kenya hosted a Bi-Annual policy forum for members of parliament and state actors on 18th December 2003 to discuss various policy issues, particularly the government's progress so in terms of entrenching a human rights approach as well as advancing the rights of women. The forum was geared towards analyzing the progress made so far by the new government after a year in office. Hence, the forum provided the opportunity for the dissemination of the FIDA Kenya Annual Report on the Legal Status of Women, "Step By Step: Forwards or Backwards?" that was published earlier and which details the status of women vis a vis government policies, setting benchmarks for improvement and the way forward. The report, which is a reflection of the socio-political situation in Kenya, enhanced the discussion at the policy forum, providing a detailed and documented analysis of the situation of Kenyan women.

The policy forum, which was well-attended and covered by the media, highlighted the gains made for women with regards to the government's fulfillment of its pledges as per their pre-election manifesto. It also generated debate on the areas of concern where progress had been minimal, especially those that are discriminatory against

women such as the laws of succession, women's property rights and provisions in the current constitution that do not accord women equal rights. The above forum enabled FIDA Kenya highlight key issues for women that the government should give priority in an effort to advance women's rights. It is noteworthy that several women MPS from the national parliament and the East African Legislative Assembly together with several judges and women newly appointed to positions of power and decision-making attended the forum.

(3) Strengthening the capacity for monitoring government implementation of International Human Rights

In an effort to monitor government's compliance to international human rights obligations, FIDA Kenya prepared a Shadow Statement to the 48th session of the Commission on the Status of Women (CSW) that took place from 1st-12th March 2004 at the UN Headquarters in New York. The themes of this year's session were:

- Women's equal participation in conflict prevention, conflict management and conflict resolution and in post-conflict peace building
- The role of men and boys in enhancing gender equality

The shadow statement, which highlighted the gaps in the government's statement, outlined the situation on the ground and the steps FIDA Kenya has taken in an effort to address the above. It also made recommendations that would provide means of redressing the current situation.

With regards to women's participation in conflict resolution and management, FIDA Kenya highlighted that it was involved in the work of the task force on Truth, Justice and Reconciliation through the membership to the commission and also held forums to prepare women who have suffered past violations particularly women involved in politically instigated tribal clashes, survivors of various forms of gender violations and mothers and wives of political prisoners of conscience to effectively participate in the task force public hearings that enabled them effectively voice their demands for the establishment of a truth commission.

Reporting on the theme of "the role of men and boys in achieving gender equality", FIDA Kenya observed the current government's appointment of women to key positions of leadership, which is a great improvement, as compared to the previous regime. However, the shadow statement highlighted that the role and participation of women in decision-making is still low and below the promised 30% of women's representation in key positions. In parliament, the supreme law-making body, there are only 18 women out of a total of 122 MPs. This dismal situation is replicated in all other institutions of decision-making like the judiciary. It therefore follows that since men are the majority decision makers, the participation of men and boys is critical if gender equality is to be achieved.

The CSW session was attended by the Executive Director of FIDA Kenya and a Programme Officer for the project, who presented the shadow statement and attended the various sessions. The following was achieved from the above activity:

- Attending formal sessions and making contributions to agreed conclusions by the Kenyan delegation.
- Participating in the NGO side events, being a key player for African Caucus where the way forward was agreed upon to review the Beijing +10 process.
- Networking with other NGOs and the regional caucus organizations where issues affecting women were discussed particularly women's participation in conflict resolution; the UN Resolution 1325 and possible ways of engaging at the regional level was discussed.
- Distribution of FIDA Kenya's materials and attendance of training on lobbying skills conducted by one of the partners.

In addition to the above, FIDA Kenya was able to enhance the government delegation's capacity by reviewing and making contributions to the government's final report. This shows that the government has duly recognized FIDA Kenya's expertise in the above, a major feat for the organization.

As stated above, discussions at the CSW session enabled FIDA Kenya lobby the government to commit to achieving some of the set out objectives in the government statement including the development of a National Policy on Gender and Education; the introduction of family life education in schools to encourage reproductive health knowledge and responsibility among boys and girls; and the ratification of the Additional Protocol on women's rights to the African charter on Human and Peoples Rights, among others. The progress achieved will be reported in the Beijing+10 review session, which is scheduled to take place at the next CSW session taking place in 2005.

(4) Parliamentary assessment survey on the level of awareness on gender issues and the extent of gender mainstreaming in Parliament

In an effort to establish the level of awareness on gender issues and the extent to which gender mainstreaming has taken place, if any, in parliament, a parliamentary assessment survey is being conducted. The survey is still in the process and research is underway. The research consultant was identified and has been briefed by FIDA Kenya on the objectives of the survey. The data collection tools have been developed and research is now in progress. Unfortunately, the survey has been delayed to some extent due to the busy schedule and unavailability of the MPs in light of the constitutional debate that has taken center-stage over the past few months. However, the survey is still within the work plan schedule.

(5) Institutional Strengthening and Support

The institutional support received has greatly strengthened the organization, enhancing its ability to work through the facilitation of acquiring one desk top computer and printer which has eased the processing of data and information. In addition, the purchase of an LCD projector has enabled FIDA Kenya make effective presentations at its various forums, seminars and workshops without the hassle of hiring one. This has greatly eased administrative functions and reduced costs.

Through the institutional support received, the organization has also been able to sustain a dedicated staff. FIDA Kenya's staff is highly competitive and committed towards FIDA Kenya's organizational objectives. The grant has therefore enabled the maintenance of an effective human resource body equipped to address women's rights issues and advance the women's rights agenda through the reporting period.

Activity Summary Table

Specific Activity/ Project	Target Amount (Kshs)	Achieved this period	Comments /Impact
(1) Compilation and collation of reports submitted by field-based monitors and analysis for trends for purposes of periodic and annual reporting	691,667	A total of 304 reports were received from November 2003–April 2004. The data was analyzed and fact sheets developed and shared to highlight community level trends. Monitors allowances were paid promptly.	<ul style="list-style-type: none"> The data has been used to inform the FIDA Kenya Annual Report that is used to lobby and advocate for policy change.
(2) Hosting of Bi-Annual Forum and Launch of FIDA Kenya Annual Report	209,545	The forum was geared towards analyzing the progress made so far by the new government after a year in office and provided an opportunity for the dissemination of the FIDA Kenya Annual Report on the Legal Status of Women, "Step By Step: Forwards or Backwards?" which informed discussions.	<ul style="list-style-type: none"> Debate generated on the areas of concern for women where progress has been minimal. Key issues for women that the government should prioritize highlighted.
(3) Strengthening the capacity for monitoring government implementation of International Human Rights	3,271,925	Attendance of the 48 th CSW session, presentation of the shadow statement and attendance of caucus and networking meetings. Distribution of FIDA Kenya materials and attendance of training on lobbying conducted by one of the partners.	<ul style="list-style-type: none"> Gaps in the government statement highlighted and commitment from government delegation achieved on fulfilling target objectives in

			their report.
(3) Parliamentary assessment survey on the level of awareness on gender issues and the extent of gender mainstreaming in Parliament	300,000.00	Development of data collection tools and commencement of survey.	<ul style="list-style-type: none"> • Research is underway.
(4) Institutional Strengthening and Support.	1,579,523	<p>Purchase and use of desktop computer, printer and LCD projector.</p> <p>Staff support received.</p>	<ul style="list-style-type: none"> • The desktop computer and printer have enhanced processing of data and information. • Use of the LCD projector has enhanced presentations at forums and cut costs of hiring the same. • A dedicated staff base has been maintained.

Critical events contributing to the objectives:

- Consultative forum with policymakers and state actors held
- Women's rights violations at the community level monitored and shared
- Networking and collaboration with partners and stakeholders increased.
- Attendance and presentation of the shadow statement to 48th CSW session
- Technical capacity of government delegation to CSW enhanced
- Commitments by government delegation to the CSW received
- Awareness on women's rights and laws regarding women increased
- FIDA Kenya publications and materials' dissemination enhanced
- FIDA Kenya's capacity to lobby as well as monitor government compliance to international obligations enhanced
- Institutional capacity enhanced

Lessons Learnt

The following are the lessons learnt in implementing the project:

- Attending and organizing meetings on international instruments and obligations enhances FIDA Kenya's capacity to lobby and advocate for gender equity.
- Attending international reporting conferences such as the CSW enhances FIDA Kenya's visibility as leading women's rights organization monitoring government compliance.
- Hosting consultative forums with key policymakers enhances awareness on the priority areas for women and provides platforms to lobby and advocate for changes in policies and legal frameworks
- International and regional networks enhance FIDA Kenya's capacity to empower women.
- The availability of MPs can be challenging due to their hectic schedules

Challenges (Problems)

- The Constitutional Review process consumed a large amount of MPs time, making them unavailable and creating uncertainty regarding the political landscape, hence delaying the parliamentary survey.
- Poverty levels among Kenyans hence the increase in women's rights violations particularly domestic violence.
- Unreasonable expectations of FIDA Kenya from clients and monitors regarding quick solutions and financial assistance due to increased poverty levels in the society.

Corrective measures undertaken

Corrective measures undertaken have not entailed major adjustments under the project. However, the following are some of the measures undertaken in an effort to counter the challenges faced:

- FIDA Kenya has been involved in observing the constitutional review process under the campaign called "Safeguarding the Gains for Women in the Draft Constitution", which is a collaborative effort of FIDA Kenya with three other partner organizations namely the Kenya Human Rights Commission (KHRC), the Institute of Education in Democracy (IED) and the League of Kenya Women Voters (LKWV). Throughout the above process, FIDA Kenya took the opportunity to lobby MPs and advocate for provisions that are gender sensitive in the Draft Constitution. Although the outcome of the constitutional debate has been uncertain, FIDA Kenya used the above opportunity to continue building a rapport with MPs so as to enhance their awareness on gender as well as the nature of FIDA Kenya's work regarding women, hence paving the way for co-operation in the intended parliamentary survey.
- The increase in domestic violence is being addressed through increased awareness of communities, chiefs and the police on women's rights and provision of legal aid services to needy women. Moreover, we have undertaken increased advocacy for the passing of the Domestic Violence Bill. FIDA Kenya

has been lobbying the Attorney General's Chambers and the Ministry of Justice and Constitutional Affairs to re-publish the Bill for debate in Parliament. The process is still on going.

- Regarding the unrealistic expectations from FIDA Kenya, it has been necessary to consistently highlight that FIDA Kenya cannot provide instant solutions as we are subject to court regulations like any legal organization. In addition, clients are explained to upon registration that FIDA Kenya cannot provide financial assistance. Furthermore, with regards to monitors, during monitor's training and briefing sessions, FIDA Kenya emphasizes the importance of following the 'Code of Conduct for FIDA Kenya Monitors'. Additionally, monitors are sensitized that the monitoring allowance approved for them is a modest amount that would enhance their work, which is essentially a means to improve access to justice for women and not a payment.

Work Plan For The Next Three Months (May- July 2004)

	MAY	JUNE	JULY	AMOUNT
1.Analyzing of monitors reports and drafting of fact sheets on trends of women's rights violations in the provinces and sharing of analysis	X	X	X	1, 060,000.00
2. Parliamentary assessment survey on the level of awareness on gender issues and the extent of gender mainstreaming in parliament.	X	X	X	300,000.00
CSW and CEDAW forums			X	21,925.00
Programme Personnel	X	X	X	227,700.00
INDIRECT COST				
Personnel	X	X	X	245, 862.00
Overheads	X	X	X	184,999.00

Attendance of training:

FIDA Kenya staff has had the privilege of attending various training courses organized by its donors. These include trainings organized by CORDAID, European Union, CIDA-Gesp, UNFPA and Heinrich Boll Foundation. However, staff hasn't attended any training organized by USAID.