

THE STATE DEPARTMENT OF GENDER AFFAIRS, MINISTRY OF PUBLIC SERVICE, YOUTH AND GENDER AFFAIRS

CALL OF EXPRESSION OF INTEREST FOR CONSULTANCY TO DEVELOP WOMEN ECONOMIC EMPOWERMENT POLICY

Terms of Reference

1. Introduction

Kenya constitution 2010 brought about a new rights-based dispensation, with far-reaching positive implications on the rights and status of women – particularly the elaborate bill of rights and strong provisions for the upholding women’s rights, and the recognition of equality of men and women and their entitlement to enjoy equal opportunities in the political, social and economic spheres.

The social pillar in Kenya’s Vision 2030 also highlighted Gender, Children and Social Development. The Vision 2030 laid emphasis on the development of policies aimed at empowering vulnerable groups including women, to enable them to take part fully in nation building. Other studies have highlighted the need to empower women economically as a necessary step towards reducing gender inequality or vulnerability.

Despite the extensive national and international consensus on the necessity to provide a normative and legal framework for the government to fulfil basic rights especially of women and children, the full gains of the overarching women empowerment intentions are yet to be realized. Achievement of these goals still remains limited especially in the context of effective women empowerment interventions both at national and county levels as well as within the private and public sector organizations. These limitations are further compounded by inadequate focus on coordination of advocacy towards instructional reforms touching on women empowerment gains. The state department of gender affairs, is mandated to mainstream gender into economic development activities, by developing and leading an agenda to integrate women into development activities around the current Kenya’s “big four” development agenda and the Vision 2030 four pillars. For this to be achieved a clear plan of engagement, cooperation, impact assessment and program sustainability over the long term must be addressed through the development of a women economic empowerment policy. The policy will offer mechanisms to address the numerous and difficult challenges that disadvantaged women undergo as a result of lack of economic resources, poverty and marginalization. A number of Gender based policies and legislation exist with minimal provisions that take into account women economic empowerment. It is therefore necessary that a comprehensive policy on women economic empowerment is developed to offer a basis for development of gender responsive women empowerment legislations and programmes.

The State Department of gender affairs will implement the women economic empowerment strategy through a national women economic empowerment policy and a national women economic empowerment action plan which will provide the various economic empowerment interventions targeting women and in collaboration with the County Governments.

One of the mandates of the state department of gender Affairs is the development of gender related policies. Women economic empowerment is one key area around which a policy needs to

be developed to guide the planning, implementation and monitoring and evaluation of women economic empowerment programs across sectors

The development of the policy will be undertaken through a number of discussions and consultations with the various other state departments and stakeholders, and ensure that the policy is adaptive to other policies and in line with the National development agenda.

THE STATE DEPARTMENT FOR GENDER AFFAIRS (SDGA)

The State Department for Gender Affairs (SDGA) was established in November 2015 in the Ministry of Public Service, Youth and Gender Affairs. The Department was created from the former Ministry of Devolution and Planning to promote gender mainstreaming in national development processes and champion for socio-economic empowerment of women. It derives its mandate from the Constitution of Kenya in Article 10 and 27. Article 10 outlines the national values and principles of governance which include equality, equity, inclusiveness and non-discrimination which provides for gender equality and Article 27 in grains the right to equality and freedom from discrimination.

The Departments' functions are derived from the Executive Order No. 1/2016, and Executive Order No. 1/2018. These functions are;

1. Gender Policy Management,
2. Special Programmes for Women Empowerment,
3. Gender Mainstreaming in Ministries/ Departments/Agencies,
4. Community Mobilization,
5. Domestication of International Treaties/Conventions on Gender and Policy and;
6. Programmes on Gender Violence.

The Department has four technical directorates namely; Gender Mainstreaming, Policy and Research, Socio-Economic Empowerment and Gender Based Violence and Family Protection. In addition, the Department has oversight over four Semi-Autonomous Government Agencies; The Women Enterprise Fund, Uwezo Fund, National Government Affirmative Action Fund (NGAAF) and Anti Female Genital Mutilation Board. Other institutions under the Department are the Gender Violence Protection Centres and the National Gender and Equality Commission.

THE INTERNATIONAL DEVELOPMENT LAW ORGANISATION (IDLO)

IDLO is an international, intergovernmental organization headquartered in Rome, Italy. IDLO is a non-political, technical organization mandated to promote the rule of law and good governance in developing countries, countries in transition and countries recovering from armed conflict.

IDLO is pleased to count Kenya among its Member States, and was honoured to provide assistance to the Committee of Experts in Constitutional Review during the process to design the Constitution of Kenya, 2010 and subsequently to the now defunct Commission of the Implementation of the Constitution (CIC) in constitutional implementation monitoring and oversight. Currently, IDLO is providing technical support to the Judiciary, the Political Parties Dispute Tribunal (PPDT), the Office of the Attorney General and Department of Justice, the Kenya Law Reform Commission, the Ministry of Devolution and Planning (MDP), the Council of Governors, the Kenya National Commission on Human Rights (KNCHR), the National Gender and Equality Commission (NGEC) and the Ministry of Mining in implementing the Constitution of Kenya 2010 by way of strategic policy development, critical legislative review, expert technical advice, institutional strengthening and capacity building.

Consultancy Policy Scope and Guiding Principles

Guided by these goals, the policy scope for the women's economic empowerment interventions include: -

1. Guide the National and County governments to design and develop laws, policies, programmes and services needed to ensure that the tenets beheld in the SDGs and the Constitution of Kenya relating to women empowerment are effectively implemented and become truly beneficial to women and girls in each county;
2. Facilitate extensive civil society dialogue and consultations leading to effective alignment of (i) culture, traditions and social beliefs (ii) normative policy, affirmative action and legal frameworks, and (iii) national and international commitments on women empowerment and gender equality;
3. Guide women's associations, community-based organizations and related projects and programmes to reinforce women's willingness, ability and technical capacity to participate effectively in economic affairs;
4. Guide women to engage in market-oriented economic activities and support them to diversify their value chains, improve access to credit and risk transfer mechanisms, technical knowhow, technology resources and build reliable market linkages locally, nationally and internationally
5. Guide building of an innovative ICT platform through which organizations with mandates targeting women empowerment can reach women more effectively while generating important data analytics for monitoring and evaluation. Services could include home and childcare resources, leadership education and training, maternal support, gender-based violence helplines, peer-to-peer counselling and support lines, enterprise incubation, credit, insurance, agricultural and technical services as well as movable and immovable assets

Goal and Objectives of the Consultancy

The goal of this Policy is to guide the planning, implementation and monitoring and evaluation of women economic empowerment programs in Kenya

Overall Objectives are;

- 1 To develop a policy that will influence a conducive environment for Women Economic Empowerment;
- 2 To develop a policy that will strengthen coordination, collaboration and networking among stakeholders working within the Women Economic empowerment sector;
- 3 To develop a policy that will strengthen the capacity of key players in promoting Women Economic empowerment strategy;

- 4 To develop a policy that will promote gender sensitive monitoring, evaluation, knowledge management and learning for Women Economic Empowerment.

Specifically, the objectives of women economic empowerment Policy include:

- i) Creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential;
- ii) Providing an enabling environment for enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil;
- iii) Providing equal access to participation and decision making of women in economic matters of the nation;
- iv) Strengthening legal systems aimed at strengthening trading activities and market linkages, and elimination of discrimination against women in access to business opportunities;
- v) Provide guidance for development and harmonization of all trade laws and policies to incorporate women in business and offer a competitive space in access both at national and county government;
- vi) Offer a linkage and complementary on matters women empowerment to other existing national policies and strategies among them: -
 - a. National Trade policy
 - b. National export strategy
 - c. Agricultural Sector Development Strategy
 - d. National Livestock Policies
 - e. National Industrial Policy
 - f. Competition Policy
 - g. Investment Policy
 - h. Intellectual Property Policy and Strategy
 - i. Other Sectoral Policies and Strategies
- vii) Provide for avenue to build and strengthen partnerships with international partners, civil society, and any other women empowerment-based organizations.

Methodology of undertaking the Exercise

This consultancy will look at related policies and strategies so as come up with women economic empowerment policy. The consultancy will identify, analyze and understand

policy decision making and governance systems provided for in existing policies, legislation, strategies and programme, including policy formulation, gaps, overlaps, conflicts and common problems. This is an important starting point as it will provide information on the current arrangements and processes that will be used in policy formulation, leading to the development of a comprehensive women economic empowerment policy, that will guide development of specific legislations as well as forming the basis for interventions required for amendments to the existing legislations through parliament to provide for women economic empowerment.

Tasks to be undertaken

The consultant's tasks in the development of the policy will cover the following: -

- i. Carrying out a preliminary assessment of existing empowerment policies including the county policies, counties being the focal intervention areas.
- ii. Carrying out a situational analysis a few counties to identify existing women empowerment interventions and their drivers, including public, private, civil society organizations, academia and religious institutions;
- iii. Identifying key achievements, challenges, gaps, constraints, causes, baseline indicators, key players and key entry points for women empowerment initiatives, to incorporate in the policy.
- iv. Hold a series of stakeholder engagements to communicate National women empowerment proposed policy and deliberate on proposals for meaningful legal frameworks and domestication of the proposals in line with regional cultural and belief systems. Stakeholder engagements will be coordinated through intergovernmental consultation frameworks;
- v. To conduct capacity/skill needs assessment clustered by product value chains to determine their leadership capacity development strategy, this will be incorporated in the policy so as to guide on foundational skills building that address capacity gaps, monitor training effectiveness and resolve emerging issues and enriching specific value capabilities;
- vi. Conduct assessment of county economic potential to determine the ideal commodities and market systems needing to be strengthened to support the designed economic ecosystem women entrepreneurs. The identified market systems will be incorporated in the policy so as to guide proposals for county commercial infrastructure development plans and attendant financing or investment mechanisms;

- vii. To review and identify potential markets and corresponding market systems for the existing commodity lines and map the comprehensive local, national and international linkages essential for the designated market systems to thrive to be incorporated in the policy so as to trigger interest among potential local, regional, national and international value chain participants, financiers and investors;
- viii. The review other existing policies and develop policy linkage to them so as to support other state organs and the counties to integrate the women empowerment strategies into all their plans including the County Integrated Development Plans as well as other complementary programmatic interventions occurring both at county and national levels.
- ix. Develop within the policy a guide to the design, development and implementation of a broad-based ICT portal, not only to coordinate women empowerment activities, but also to monitor achievements, track women leadership, social and cultural empowerment indicators and support market systems for economic empowerment.
- x. The portal will also provide a rapid response mechanism for monitoring, reporting and deterring any abuses and violations on women's rights.

Plan of Work

As part of the inception report, provide a detailed mode of work, methodology, key information sources to be used, and institutions / organizations to be consulted in undertaking the task.

Required Expertise

The following personnel qualifications are required to successfully carry out the exercise:

- A Master's Degree in Economics/ Law/ Social science
- A minimum of 10 years' experiences especially in policy development and gender equality.
- Experience in development and implementation of policy, legislations and related governance publications, including development of policies, legislation, national strategies and plans.
- Conversant with Government processes for policy and legislation formulation.
- Good action learning research and writing skills

Timetable and Reporting

The duration of the consultancy shall not exceed 6 months.

The consultant is expected to produce 2 hard copies and an electronic copy of a draft report written in understandable English for review.

Mandate

The consultant will be responsible to and report to the principal secretary state department of gender affairs.

Application Process:

Interested and qualified candidates should submit their applications which should include the following:

- 1) Detailed Curriculum Vitae and proposal to undertake the consultancy**
- 2) Cover letter highlighting relevant experience and motivation for taking up the consultancy**
- 3) Two (2) Referees (with contact details)**

All applicants must apply as individual consultants.

**Please email your application to gendersecretary4@gmail.com with the subject line: "Application – consultant women economic empowerment policy – "INSERT NAME"
All applications must be received latest by 9am (Nairobi time) Friday February 1, 2019.**