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Scaling Up Gender Mainstreaming in Rural Transport: Policies, Practices, Impacts and Monitoring Processes

Case Study Report: Kenya



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Development

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Abstract

The research project was implemented through a desk study that involved a review of national policy documents to map Kenya's gender policy landscape and assess how this is implemented in the transport sector. A gendered project cycle analysis of the Kenya Roads 2000/AFD (*Agence Française de Développement*) project was conducted to assess the tools, indicators and targets used to mainstream gender and to examine their effectiveness.

The research established that Kenya has a very progressive structure for gender mainstreaming cutting across different policy domains and institutions. It is a statutory obligation to address women's transport needs; guarantee their voice in the governance of transport sector institutions; promote female entrepreneurship; address sexual violence in the work place, and collect gender disaggregated transport data. However, this is yet to be effectively implemented in the transport sector. As a result, women continue bearing a disproportionate transport burden and experiencing sexual and gender-based violence in transport-related spaces.

The report recommends retrofitting transport policy and regulations to include measures that address women's relative to men's needs as users of transport systems; promote their participation in, and benefit from road improvement projects; and guarantee their safety and personal security.

Key words

Gender Equality, Mainstreaming, Policy, Safe Transport Spaces, Roads, Rural, Women

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Acronyms, Units and Currencies

\$	United States Dollar (US\$ 1.00 ≈ KShs. 103.85)
£	(GBP 1.00 ≈ KShs. 134.25)
AFCAP	Africa Community Access Partnership
AFD	Agence Française de Développement
AfDB	African Development Bank
ASCAP	Asia Community Access Partnership
DANIDA	Danish International Development
EU	European Union
GBV	Gender Based Violence
GoK	Government of Kenya
HDI	Human Development Index
IFRTD	International Forum for Rural Transport and Development
IMT	Intermediate Means of Transport
KDHS	Kenya Demographic and Health Survey
KeNHA	Kenya National Highways Authority
KeRRA	Kenya Rural Roads Authority
KNBS	Kenya National Bureau of Statistics
KRB	Kenya Roads Board
KTC	Kisii Training Centre
KURA	Kenya Urban Roads Authority
KWS	Kenya Wildlife Services
LO/FTF	Danish Trade Union Council for International Development Cooperation
MDA	Ministry, Department, Agency
MoGCSD	Ministry of Gender, Children and Social Development
MoGSCSS	Ministry of Gender, Sports, Culture and Social Services
MoR	Ministry of Roads
MoRPW	Ministry of Roads and Public Works
MoT	Ministry of Transport
MoTI	Ministry of Transport and Infrastructure
MTIHUUD	Ministry of Transport, Infrastructure, Housing and Urban Development
MTP	Medium Term Plan
NCL	National Council for Law
NCLR	National Council for Law Reporting
NGEC	National Gender Equality Commission
NMIMT	Non-Motorised and Intermediate Means of Transport
NMT	Non-Motorised Transport
NTSA	National Transport and Safety Authority
OECD	Organisation for Economic Cooperation and Development
PWD	Person with Disability
ReCAP	Research for Community Access Partnership
RoK	Republic of Kenya
RSIP	Road Sector Investment Programme and Strategy
SACCO	Savings and Credit Cooperative Organisation
SGBV	Sexual and Gender Based Violence
SIDA	Swedish International Development Agency
SIGI	Social Institutions and Gender Index
UK	United Kingdom (of Great Britain and Northern Ireland)
UKAid	United Kingdom Aid (Department for International Development, UK)
UNDP	United Nations Development Programme
WEF	World Economic Forum
WEL	Women's Empowerment Link

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Executive Summary

The overall objective of the research project is to contribute to knowledge that can lead to improved policies and practices for sustainably mainstreaming gender in rural transport. The report is based on an in-depth analysis of Kenya's national gender policy framework and a comprehensive review of the transport sector policy, legislation, regulations and strategies. The report also explores the implications of variations in assignment of responsibilities between men and women, unequal access to resources and asymmetrical power relations in the context of rural transport. Using the *Agence Française de Développement* (AFD) funded Kenya Roads 2000 programme as a case, the report examines how gender is mainstreamed in road projects.

National Gender Policy Landscape

Kenya's national development context has undergone strategic changes in policy direction over the past 20 years. The launching of Vision 2030 in 2007 (the reference point for the development of national and sector policies, plans and programmes), consolidated Government's commitment to gender mainstreaming. Amongst other things, Vision 2030 requires Government Ministries, Departments and Agencies (MDAs) to address Sexual and Gender-Based Violence (SGBV) in policy, planning and programming. The 2010 Constitution instructs MDAs to address women's needs in their respective mandates. Further to that, the Constitution directs that no more than two-thirds of the members of governing bodies of MDAs should be the same sex, thus promoting women's voice in public decision-making.

The inclusion of gender mainstreaming, as a deliverable, in the performance contracts of the chief accounting officers of all the MDAs has strengthened accountability to gender equality and women's empowerment in service delivery. Amongst others, MDAs are obliged to collect sex and gender disaggregated data and to strengthen institutional gender capacities. The MDAs are obliged to submit quarterly reports to the National Gender Equality Commission (NGEC) as to the level of gender mainstreaming in their respective institutions.

Government's fiscal policy is a promising approach for promoting market access for women. The Women Enterprise Fund, established in 2007, provides accessible and affordable credit to support women to start and/or expand business. The Uwezo fund, established in 2014, is aimed at promoting, amongst others, women-led enterprises at the constituency level. The Public Procurement and Asset Disposal Act of 2015 obliges all procurement and asset disposal planning to earmark a minimum of 30 percent of the budget for enterprises owned by women, youth, and persons with disability (PWDs). It also provides for flexible and favourable tender and performance securities' terms for enterprises owned by women, youth, and PWDs.

The Employment Act of 2007 outlaws gender-based discrimination in employment and sexual harassment in the workplace. It obligates employers to collect data disaggregated by sex, age and occupation. It also requires employers who employ 20 or more people to issue a comprehensive policy statement on sexual harassment.

Implementation of Government's Policy Directives on Gender in the Transport Sector

The national policy directives on gender collectively oblige the transport sector to mainstream gender in transport policy, regulations, plans and programmes. However, there is a disconnect between national framework and transport policies. Most road sector legislation uses gender insensitive language. Some legislation, and in particular those enacted prior to the promulgation of the 2010 Constitution, do not provide for women's representation in the governance of road sub-sector institutions. The regulations governing the operations of public service vehicles and motorcycles are silent on SGBV in transport spaces.

There is superficial attention to gender in transport sector policies, and in particular, the Policy on Aligning the Road Sub-Sector to the Constitution (2012). The formulation of the transport sector policies was not informed by a comprehensive gender analysis. Furthermore, none of the policies incorporate gender in their objectives. The Integrated National Transport Policy (2009) includes some measures, such as gender awareness creation, to address barriers that restrict women's benefits from the sector. However, none of the policies acknowledge SGBV as an issue that needs to be addressed. In addition, the policies neither provide for the collection of sex and gender disaggregated data for performance monitoring nor allocate dedicated resources for gender mainstreaming.

The Nairobi County Non-Motorised Transport (NMT) Policy (2015) is a case of good practice in mainstreaming gender in policy. The policy acknowledges women's restricted mobility as well as differences in women's transport needs, safety and personal security relative to men's. The Policy also recognises that retrogressive socio-cultural norms and values impose restrictions on women's demand for, and benefit from the sector. The policy includes gender sensitive indicators and provides for the collection of sex and gender disaggregated NMT data.

Another case of good practice is the Road Sector Investment Programme and Strategy (RSIP), 2010-2024. The RSIP acknowledges the gender differentiated demands for transport and the effects of socio-cultural norms and values on women's mobility. The RSIP proposes the use of innovative infrastructure delivery procedures to promote gender equitable transport, and allocates a dedicated budget of KShs 2 billion annually for gender and equity mainstreaming in the roads sub-sector.

The Government of Kenya's (GoK) Roads 2000 Strategy promotes labour-based approaches where appropriate, and thus offers great potential to expand employment opportunities to unskilled women and men. However, the Strategy focuses exclusively on promoting women's participation in the unskilled workforce and measuring success in terms of proportion of female beneficiaries within the workforce.

Application of Gender Mainstreaming in Road Projects: Case Study of Roads 2000/AFD

The AFD project contributes to the implementation of GoK's Roads 2000 Strategy. Phase 1 of the project was conceptualised in the late 1990's, designed and partly implemented before gender mainstreaming in Kenya had taken root. Implementation of Phase 2 of the project started in 2011, after promulgation of the 2010 national Constitution that obliges MDAs to, amongst other issues, address the needs of women.

Whereas there was an attempt to mainstream gender in the design, implementation, monitoring and evaluation of the project, this was largely restricted to fixing minimum quotas for women's participation as labourers, specifying outputs measuring their participation and counting the numbers of women who benefit.

Recommendations

It is a statutory obligation for the transport sector to mainstream gender. The sector thus needs to retrofit its policies, regulations, strategies and programmes in compliance with the national policy directive on gender equality and women's empowerment. This would necessitate:

- Routinely collecting sex and gender disaggregated data to inform programming and defining indicators for systematic monitoring and evaluation of results of mainstreaming.
- Enhancing the capacities of sector institutions to mainstream gender in their respective mandates.

1. Introduction

1.1 Background to the Research

The underlying premise of the research is that rural transport interventions that give due consideration to gender differences result in significant and more equitable benefits to women and men in terms of increased access to socio-economic services. This is besides the potential to address women's time poverty as well as promote safe transport and travel spaces. However, substantial gaps exist in knowledge, policy and practice in respect of sustainably mainstreaming gender in the rural transport sector.

The research project reviews past and ongoing rural transport policies and programmes in Ghana, Kenya, Tanzania and Uganda with a view to generating good gender mainstreaming practices. This report presents the Kenya case study.

The research project was implemented by the International Forum for Rural Transport (IFRTD). IFRTD is a global network of people, organisations and champions interested in improving the methods of delivering transport solutions so as to bring equitable social and economic benefits to rural women, children and men.

1.2 Objectives of the Research Project

The overall objective of the research project is to contribute to knowledge that can lead to improved policies and practices for sustainably mainstreaming gender in rural transport.

Specific research objectives:

- a. Map the national gender policy landscape.
- b. Conduct a stakeholder analysis of key actors and their role in promoting gender equality in rural transport.
- c. Assess the quality of gender mainstreaming in (rural) transport processes and institutions.
- d. Undertake a gender analysis of rural transport programmes along the project cycle.
- e. Identify opportunities for scaling up good gender mainstreaming practices in the context of rural transport.

1.3 Research Questions

The research seeks to answer the following questions:

- a. What is the nature and extent of gender inequalities within the case study countries?
- b. What are the perceptions and experiences of key actors in promoting gender equality in rural transport?
- c. How responsive are transport policies and institutions to gender differences in mobility and accessibility?
- d. What tools, indicators and targets were used in mainstreaming gender in the Kenya Roads 2000 project funded by the French Government through *Agence Française de Développement* (AFD)?
- e. What lessons can be learnt and disseminated?
- f. What are the opportunities for sustainable scaling up of gender mainstreaming, i.e., from projects to national transport policies?

1.4 Country Overview

Kenya is situated in the eastern part of Africa and is bordered by Somalia and the Indian Ocean to the east, Ethiopia to the north, Sudan to the northwest, Uganda to the west and Tanzania to the south. Kenya, East Africa's largest economy, is predominantly agricultural with a strong industrial

base. With a human development index (HDI) of 0.493, Kenya is regarded as one of the rapidly developing nations ranking 146 out of the 188 countries assessed (UNDP, 2016).

Women constitute 51 percent of the total population, estimated at 43 million in 2014 (KNBS, 2014). The country is predominately rural with more than seven out of 10 people living in the countryside. One third of the households are headed by women. The country is administratively divided into 47 counties.

1.5 Overview of the Transport Sector

1.5.1 Modes of transport and status of services

The transport sector in Kenya consists of road, rail, maritime and inland water, pipeline and air transport infrastructure as well as non-motorised and intermediate means of transport (NMIMT). Road transport accounts for around 93 percent of land freight and passenger traffic in the country (MoR, 2012), the balance being carried by the railways. Generally, roads are the only means of access to rural communities.

The 2010 Constitution provided for the distribution of functions between central and local (county) Governments. This created two categories of roads: national and county roads. National roads include those classified as A, B and C. The rest of the roads, including all roads in cities, municipalities and town councils, are classified as county roads. According to the new classification, the public road network comprises of 26,581 km of national roads, 13,141 km of urban county roads and an estimated 121,164 km of rural county roads (MoR, 2012).

Non-Motorised and Intermediate Means of Transport (NMIMT) include bicycles, hand and animal drawn carts, pedestrians and pack animals. The rural transport scene is characterised by walking and head or back loading, mainly by women and children, both along roads, paths and tracks. Likewise, in urban areas, walking is the only option for the majority of low income households. The loads carried by walking persons are as heavy as 40 kg and the distances covered on foot average about 5 km per trip (MoT, 2009). Bicycles are the most common means of transport owned by rural (25%) and urban (16%) households in Kenya (KNBS, 2014).

The public sector owns, maintains and manages Kenya's transport infrastructure and provides some transport services (the port and some railway), while the private sector provides most transport services (road passenger and freight transport, air transport services, and some bulk cargo port services). All road development and maintenance works are contracted out. Routine maintenance by force account is being phased-out.

Legal notice 219 of 2013 provides for public transport in Kenya to be offered by corporate bodies registered either as savings and credit cooperative organisations (SACCO) or companies under the companies Act (NTSA, 2013). Each SACCO is required to provide a code of conduct for its members and employees.

This research focuses on the roads sub-sector.

1.5.2 Transport sector institutions and mandates

The current institutional framework for the road sub-sector is a result of the reforms that the Government implemented through the Kenya Roads Act (2007). The Roads Act established three road authorities, namely: Kenya National Highways Authority (KeNHA), Kenya Rural Roads Authority (KeRRA), and Kenya Urban Roads Authority (KURA).

- The mandate of the **Ministry of Transport, Infrastructure, Housing and Urban Development (MTIHUD)** is to formulate, implement and manage the overall transport sector policy. It is also responsible for technical standards, research, road classification and oversight authority of state corporations under the Ministry.
- The **Counties** are responsible for county roads, street lighting, traffic and parking, public road transport as well as ferries and harbours, excluding the regulation of international and national shipping and matters related thereto.
- **KeNHA** is responsible for the management, development, rehabilitation and maintenance of national roads.
- **KURA** is responsible for the management, development, rehabilitation and maintenance of all public roads in cities and municipalities, except those that are designated as national roads.
- **KeRRA** is responsible for the management, development, rehabilitation and maintenance of all rural roads.
- **Kenya Wildlife Services (KWS)** is responsible for the management, development, rehabilitation and maintenance of roads in National Parks and Game Reserves.
- **Kenya Roads Board (KRB)** provides the institutional framework within which the entire road network is managed and evaluated. It manages and coordinates the utilisation of the KRB Fund that comprises the road maintenance levy and transit tolls.
- The **National Transport and Safety Authority (NTSA)** is responsible for managing and regulating the road transport system to ensure the provision of safe, reliable and efficient road transport services.

The Policy on Aligning the Roads Sub-Sector with the 2010 Constitution proposes a new institutional framework (MoR, 2012) as follows:

- The State Department shall be responsible for road policy formulation.
- Three statutory bodies shall be established namely:
 - Kenya National Trunk Roads Authority to be responsible for the national trunk roads management as well as technical support to the Counties.
 - Roads Regulatory Authority to be responsible for enforcement of standards.
 - The Road Fund to be responsible for the sourcing and management of funds for the roads sub-sector.

The proposed institutional reforms are yet to be effected.

1.6 Roads 2000/AFD Project: Overview

The Roads 2000 Strategy was conceived in 1990 as a method of road development and management that ensures optimum utilisation and development of locally available resources where technically and economically feasible. The main features of the Roads 2000 Strategy include:

- The use of an optimum mix of labour and equipment.
- Increased use of local resources.
- Adoption of a network approach instead of the conventional link-based approach.
- Increased involvement of the private sector in infrastructure delivery.
- Provision of an employment-based social protection mechanism for the marginalised population.
- Systematic or efficient use of scarce maintenance funds.

Roads 2000 is supported by various development partners including the Swedish International Development Agency (SIDA), Danish International Development Agency (DANIDA), KfW, the Finnish Government, the French Government through *Agence Française de Développement* (AFD), the African Development Bank (AfDB) and the European Union (EU).

The research focuses on the first and second phases of the Roads 2000 project funded by AFD and implemented by KeRRA in the Central Region of Kenya.

1.7 Structure of the Report

The report is structured into seven sections. Section 2 describes the methodology used to conduct the research. The third section presents a comprehensive analysis of Kenya's national policy and institutional framework for gender mainstreaming. Section 4 describes the current situation of women in Kenya as regards resources, voice and decision-making power. The section also presents an analysis of the gender dimensions of the (rural) transport sector.

The fifth section presents an assessment of the extent to which the transport sector, in general, and the roads sub-sector, in particular, translate Government's commitments to gender mainstreaming in policy, planning, programming, resource allocation, monitoring and evaluation. Section six of the report reviews the quality of gender mainstreaming in the Roads 2000/AFD project. The final section draws conclusions from the research and makes suggestions for strengthening the gender dimension in (rural) transport policy, legislation, planning and programming.

2 Methodology

2.1 Approach

This was a desk study that involved a review of national and transport sector policy documents as well as a gendered project cycle analysis of the first and second phases of the Roads 2000/AFD project.

2.2 Data Collection

2.2.1 Review of national policy documents

National policy documents were reviewed to map Kenya's gender policy landscape. The documents reviewed included:

- The national constitution
- Kenya's Vision 2030
- National medium term plans
- National gender policies
- Fiscal policies and legislation
- Decentralisation policies
- Service delivery and performance monitoring policies and legislation
- Employment legislation

2.2.2 Profiling women's status in Kenya

This involved an analysis of key country statistics as well as a review of national surveys. The analysis also drew on data provided by the World Bank, United Nations, the Organisation for Economic Cooperation and Development (OECD) as well as the World Economic Forum (WEF). These were supplemented by a secondary analysis of published and grey literature.

2.2.3 Review of transport sector documents

Transport sector documents were analysed to assess the quality of gender mainstreaming. The documents reviewed included:

- Transport legislation and regulation.
- Transport sector and roads sub-sector policies
- Road sector investment plans and strategies

- Implementation tools for the delivery of road works.

2.2.1 Project cycle analysis of the Roads 2000/AFD project

An analysis of the Roads 2000/AFD project documents was undertaken to assess the quality as well as the tools, indicators and targets used to mainstream gender and to examine their effectiveness. The analysis was undertaken along different stages of the road improvement cycle.

2.3 Data Analysis

Figure 1 presents the framework used for analysing the data from the content review of the transport sector documents. The data from the content review of the Roads 2000/AFD project were analysed against predefined indicators of mainstreaming gender along the road improvement cycle.

The analytical underpinning of the research project is that discriminatory socio-cultural norms, values and practices underlie gender inequalities. These are reflected in women's work overburden and related time poverty, gender differences in space/activity patterns, inequitable distribution of resources and restricted women's voice and decision-making power. As a result, women and men have different travel patterns as well as safety, mobility and accessibility needs. In addition, a combination of retrogressive norms and gender inequalities in resources imposes restrictions on women's mobility and entrepreneurship as well as their access to means of transport and employment opportunities in the transport sector.

2.4 Ethical Considerations

The research was undertaken following the ethical standards of research. A virtual seminar was conducted prior to the onset of the research. This involved all the project team members from Ghana, Kenya, Tanzania and Uganda. The objectives of the seminar were to:

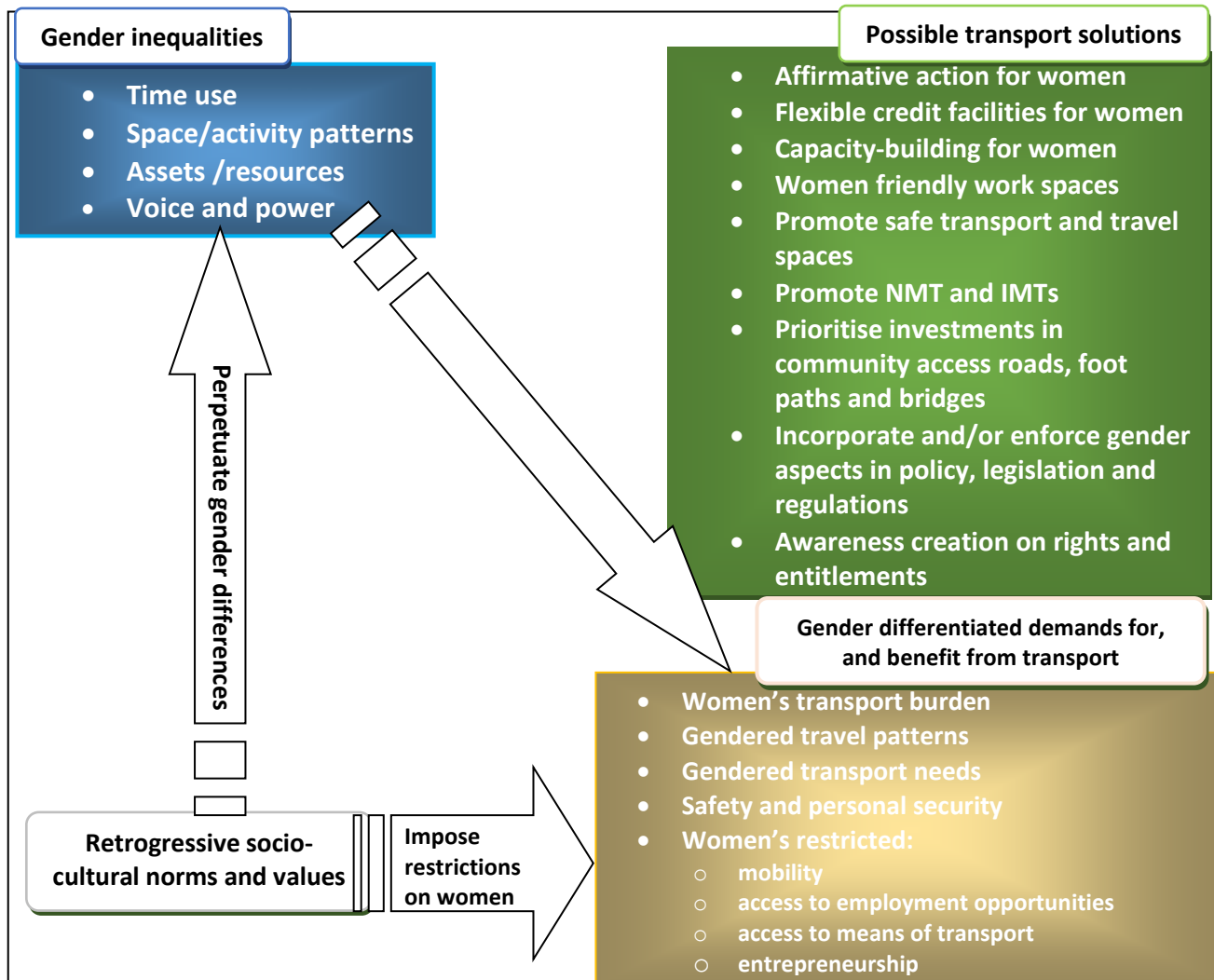
- a. Clarify the aims and scope of the research.
- b. Generate a shared meaning of the key concepts underlying the research.
- c. Provide an overview of the methodology.
- d. Review the research instruments.
- e. Agree on the modalities of data collection, cleaning, analysis and reporting.

2.5 Research Limitations

All the national and transport sector documents reviewed were accessed exclusively from the Government's websites. As such, the review does not include documents that are not in the public domain.

The case study was designed to, in part, provide a robust desk review of the lessons learnt from mainstreaming gender in the Roads 2000/AFD project. However, the second phase of the project was completed shortly before we embarked on the data collection. We thus failed to access a full project documentation set and relied heavily on a secondary analysis of consultancy reports, none of which had a focus on gender. Accordingly, we were unable to conduct a methodical project cycle analysis of the extent and quality of gender mainstreaming in the Roads 2000/AFD.

Figure 1: Analytical Framework



Adapted from: Tanzarn, 2012. *The gender promise: Innovative and inspirational cases of gender mainstreaming in East and Central Africa 2007-2010*. An Oxfam Novib Publication

3 National Gender Policy Landscape

This section presents a comprehensive analysis of Kenya’s legislation and national policies and the extent to which they promote gender equality and uphold women’s rights.

3.1 Legal Framework for Promoting Gender Equality and Women’s Rights

Kenya is a signatory to, and has ratified many international and regional conventions on gender equality and the empowerment of women, such as the Convention on the Elimination of all forms of Discrimination against Women and the African Union Solemn Declaration on Gender Equality.

The 2010 national Constitution of Kenya guarantees the right to equality for both women and men (NCLR, 2010). It directs the state to enact affirmative action programmes to ensure that marginalised groups, including women, are provided special opportunities in education and employment and have reasonable access to water, health services and infrastructure. Further to that, it advises public officials to address the needs of women as follows:

- a. All State agencies and all public officers have a duty to address the needs of vulnerable groups within society, including women.

- b. The State shall not discriminate directly or indirectly against any person on any ground, including sex, pregnancy, and marital status.
- c. The State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies are of the same gender.
- d. The State shall afford adequate and equal opportunities for appointment, training and advancement, at all levels of the public service.

3.2 Gender Dimensions of the Overarching National Policy Framework

3.2.1 Vision 2030

Vision 2030 is the long-term development blueprint for the country whose goal is to “create a globally competitive and prosperous nation with a high quality of life by 2030” (RoK, 2007a). Vision 2030 is implemented through a series of five-year medium term rolling plans that are supposed to inform the formulation of sector plans and programmes.

Vision 2030 highlights several aspects of women’s disempowerment at the household, community and national levels as follows:

- a. Restrictions in accessing labour markets and productive resources resulting in relatively higher levels of women’s poverty relative to men’s;
- b. Women’s and girls’ role in household water provisioning restricting their engagement in economic and educational activities, respectively;
- c. Restricted decision-making power and political voice;
- d. Limited access to capital, education, training and health care undermine the full potential of women’s capabilities;
- e. Exposure to vulnerabilities from civil and domestic violence, economic shocks and environmental hazards.

The 2030 vision for gender is “gender equity in power and resource distribution” to be achieved through expanding opportunities, promoting empowerment, building capabilities and addressing vulnerabilities. Vision 2030 commits the Government to implement the following strategies to reduce gender disparities and address vulnerabilities:

- a. Gender mainstreaming in Government policies, plans, budgets and programmes.
- b. Affirmative action for women’s representation at all levels of public decision making.
- c. Provide financial support to women to raise their incomes and reduce the gender gap in earnings.
- d. Increase the number of women in Parliament.
- e. Give priority to female employees in the public sector in order to attain at least 30 percent representation of women in recruitment, promotion and appointment.
- f. Increase the proportion of women using family planning methods from 39 to 70 percent.
- g. Double the number of births attended by skilled health personnel from 42 percent to 84 percent.
- h. Increase adult literacy rates of men and women from 64 and 59 percent, respectively, to 70 percent.
- i. Reduce gender-based violence (GBV).
- j. Reduce the rate of high-risk sex through increased access to safe sex methods.
- k. Reduce the proportion of female and male population living below the poverty line to 25 percent.

Vision 2030 includes two gender equality enhancing interventions amongst its flagship projects, namely:

- a. Increase funds and training available to women entrepreneurs.

- b. Increase women's representation at the executive level in all branches of Government and the private sector close to that of the best practices in the middle income countries.

3.2.2 First Medium Term Plan (MTP), 2008-2012

The first Medium Term Plan (MTP1) identified gender inequalities amongst the persistent national development challenges. It recognised gender inequalities in the distribution of public resources, in poverty levels and in access to wealth creating opportunities and public services (RoK, 2008).

The MTP1 included the following Flagship Projects for 2008-2012:

- a. Gender mainstreaming in all Government policies, plans and programmes and operationalisation and strengthening of gender divisions in all ministries and state corporations.
- b. Collection of gender disaggregated data to inform policy, plans and programmes.
- c. Institute the Affirmative Action Policy to ensure that women attain at least 30 percent representation in recruitment, promotion and appointment at all decision making levels.
- d. The Women Enterprise Fund to provide women with access to alternative financial services.
- e. Additional programmes:
 - Promote campaigns to eliminate retrogressive cultural practices.
 - Double the number of births attended to by skilled health personnel.
 - Reduce the prevalence of high risk sex through increased access to safe sex methods.
 - Use the decentralised funds to provide social amenities at close proximity in order to reduce the amount of time taken to access services.
 - Put in place an efficient legal system to help protect the rights of the people and to reduce gender-based violence and any human rights violations.

3.2.3 Second Medium Term Plan (MTP2), 2013-2017

The second Medium Term Plan (MTP2) underscores the persistent challenges of retrogressive sociocultural norms, low levels of gender awareness, high incidences of gender-based violence (GBV) as well as inadequate implementation of gender responsive policies and laws (RoK, 2013).

The MTP2 includes several flagship projects explicitly intended to promote gender equality and protect women's rights. These are packaged under three categories, namely: gender mainstreaming, women's empowerment and policy, legal and institutional reforms.

- **Gender Mainstreaming**
 - a. Coordinate monitoring of gender mainstreaming across all ministries, departments and agencies (MDAs).
 - b. Enact a national affirmative action policy.
 - c. Collect gender disaggregated data to guide policy decision making.
 - d. Establish a Gender Research and Documentation Centre. *This has been established at the University of Nairobi in collaboration with UNESCO.*
 - e. Establish an integrated one stop sexual and gender-based violence (SGBV)¹ response centre in all healthcare facilities in Kenya.
 - f. The National Gender and Equality Commission to issue sanctions and recommend prosecution in relation to cases of gender discrimination.

¹ SGBV refers to types of violence that are either sexual by nature or based on one's gender identity or expression. Includes physical, sexual, emotional and psychological dimensions.

- **Women's Empowerment**
 - a. Implement the 30 percent public procurement preference for women entrepreneurs.
 - b. Expand access to finances and promote women-led enterprises at the constituency level through the Uwezo Fund.
 - c. Review, re-brand and re-launch the Women Enterprise Fund.

- **Policy, Legal and Institutional Reforms**
 - a. Develop and enact the Women Enterprise Fund Bill.
 - b. Develop and implement the National Equality Bill.
 - c. Develop and implement the SGBV Policy.
 - d. Finalise and implement the National Affirmative Action Policy.
 - e. Review the National Gender and Development Policy.
 - f. Develop and implement the Public Financial Management (Uwezo Fund) Regulations 2013.
 - g. Implement the Public Procurement and Disposal [Preference and Reservation] Regulations 2013 for women.

The Government has implemented, or is in the process of implementing many of these flagship projects.

3.3 Gender in the National Development Management Framework

3.3.1 The National Gender Policy Framework

The national gender policy framework includes the National Policy on Gender and Development (2000), the Sessional Paper on Gender Equality and Development (2006) and the Ministerial Gender Policy (2011).

- **National Policy on Gender and Development, 2000**

The 2000 National Policy on Gender and Development (NPGD) is the reference point for Government's commitment to gender and provides the overall operational framework for mainstreaming gender equality in all policies, planning and programming (MoGSCSS, 2000). The overall objective of the NPGD is to facilitate the mainstreaming of the needs and concerns of women and men in all areas of the development process. The policy adopts a dual pronged approach: mainstreaming gender in all aspects of development and promotion of women's empowerment.

- **Sessional Paper on Gender Equality and Development, 2006**

The Sessional Paper on Gender Equality and Development (2006) provides a framework for facilitating the implementation of the 2000 NPGD (MoGSCSS, 2006). The Paper acknowledges that socio-cultural norms, values and practices perpetuate gender differences. Furthermore, it recognises that development impacts differently on women and men and underscores the need for quality sex and gender disaggregated data to inform policy, planning and programming.

The paper underlines the need to acknowledge gender as a cross-cutting issue to be addressed by all sectors. It outlines a series of policy prescriptions intended to promote economic growth, enhance gender equality and improve the quality of life. One measure to implement the Sessional Paper was the November 2006 presidential directive that at least 30 percent of future recruitments and promotions into the public service and appointments for public offices should be women (Tanzarn et al, 2007). This directive was further institutionalised in the 2010 constitution.

- **Ministerial Gender Policy (2011)**

The Ministerial Gender Policy was formulated with the purpose of institutionalising the National Policy on Gender and Development (2000) within the then Ministry of Gender, Children and Social Development (MoGCSD, 2011). The Policy was designed to strengthen internal gender mainstreaming (within the MoGCSD) as a foundation for promoting gender equality and women's empowerment in all Government policy, legislation and programmes.

Anecdotal evidence suggests that these policies are yet to be effectively implemented.

3.3.2 Gender equality in decentralisation

The 2010 Constitution contains provisions to devolve power to local counties. The objectives of the devolution of Government are to, *inter alia*, promote social and economic development and the provision of proximate, easily accessible services throughout Kenya. The 2012 County Government Act gives county governments powers to control development and investments including infrastructure investments in their areas of jurisdiction through various plans such as the County Integrated Plans (NCLR, 2012a).

The Act provides for gender equality and women's representation in governance as follows:

- a. The county assembly shall not approve nominations for appointment to the executive committee that do not take into account not more than two thirds of either gender.
- b. The county executive committee shall exercise the executive authority while ensuring the protection and promotion of the interests and rights of the marginalised communities.
- c. The county executive committee shall exercise the executive authority while promoting gender equity.
- d. There is established, for each village unit, a village council taking into account gender balance.
- e. The chairperson and vice-chairperson of the County Public Service Board shall be of opposite gender.

3.3.3 Gender equality in fiscal policy

The Government has instituted various policy tools to ensure that women benefit from public resources, equitably with men. These include the Public Procurement and Asset Disposal Act (2012), the Women Enterprise Fund, the Uwezo Fund and the Free Maternal Health Care Programme.

- **Public Procurement and Asset Disposal Act, 2015**

The Public Procurement and Asset Disposal Act, 2015 (RoK, 2015) includes various clauses with the potential to promote gender equality and women's empowerment as follows:

- a. Gender balance in all the statutory governance bodies created under the Act.
- b. All procurement and asset disposal planning to reserve a minimum of thirty percent of the budgetary allocations for enterprises owned by women, youth, persons with disabilities (PWDs) and other disadvantaged groups.
- c. County treasuries to establish a procurement function which shall, among others, promote preference and reservations schemes for small and micro enterprises, citizen contractors, women, youth, PWDs, minorities and marginalised groups in public procurement at the county level.
- d. Tender securities not required in procurements reserved for small and micro-enterprises or enterprises owned by women, youth, PWDs and other disadvantaged groups participating in a procurement proceeding.

- e. Performance securities may be waived or fixed at not more than one percent of the contract price for works and supplies reserved for women, youth, PWDs and other disadvantaged groups.
- f. Every procuring entity shall ensure that all money paid out to an enterprise owned by youth, women or PWDs is deposited into an account where the mandatory signatory is a youth, woman or a PWD.
- g. All procurement reports to include disaggregated data indicating the number of disadvantaged groups that have benefitted.

- **Women Enterprise Fund**

Established in August 2007, the Women Enterprise Fund is a semi-autonomous Government agency in the Ministry of Public Service, Youth and Gender Affairs, which provides accessible and affordable credit to support women start and/or expand business for wealth and employment creation.

The Fund won the Sustainable Development Goals Award for outstanding achievement on promoting Gender Equality and Women Empowerment.²

- **The Uwezo Fund**

The Uwezo Fund is a flagship programme under Vision 2030 that was established through Legal Notice No. 21 of the Public Finance Management Act of 2014. The Fund is designed to promote enterprises led by women, youth and PWDs at the constituency level. Besides expanding access to finances, the Fund also provides mentorship opportunities to enable beneficiaries to take advantage of the 30 percent Government procurement preference policy. The Fund is an avenue for incubating enterprises, catalysing innovation, promoting industry, creating employment, and growing the economy.

- **Free Maternal Care Programme (*Linda Mama*)**

First introduced in public hospitals in 2013, the Free Maternal Care Programme was redesigned in 2016 to include private and faith-based health facilities. The benefit package includes both outpatient and inpatient services for the mother and new born for a period of one year namely: antenatal care, delivery, postnatal care and emergency referrals for pregnancy-related conditions as well as complications.

Successful implementation of the programme is contingent on accessible health facilities, and thus efficient and affordable transport.

3.3.4 Gender equality in the national statistics system

The Kenya National Bureau of Statistics (KNBS) is mandated to collect, compile, analyse, publish and disseminate statistical information. In addition, the Bureau is mandated to coordinate, monitor and supervise the National Statistical System. In line with Vision 2030 and MTP2, the Bureau incorporated gender responsive resource and time-bound activities in its strategic plan (2013-2016). These include production of gender statistics to inform national policy and planning as well as conducting a time use study (KNBS, 2013).

KNBS is yet to conduct the study.

² <http://www.wef.co.ke/>

3.3.5 Gender equality in service delivery

Since 2009, gender mainstreaming has been entrenched within the performance contracts of all the chief accounting officers of all the MDAs. The contract is supposed to form the basis for the MDAs' programmes, projects and priorities.

In particular, the line ministries are required to:

- a. Develop and implement a gender policy to guide sector-specific gender mainstreaming activities.
- b. Develop and implement a work place policy on gender-based violence (GBV).
- c. Train and sensitise all staff on gender mainstreaming.
- d. Comply with the one third rule in appointments, promotions and employment in the public service as per the Constitution.
- e. Collect sex disaggregated data to guide in planning and programming.
- f. Submit quarterly reports to the National Gender Equality Commission (NGEC) as to the level of gender mainstreaming in the respective sector.

3.3.6 Gender equality in employment

The Employment Act of 2007 explicitly addresses gender discrimination in employment (NCLR, 2012b). It commits the Government to take affirmative action measures consistent with the promotion of equality or the elimination of discrimination in the workplace. The Act outlaws direct or indirect discrimination or harassment of an employee or prospective employee on the grounds of, amongst other things, sex, disability and pregnancy. This is in respect of recruitment, training, promotion, terms and conditions of employment (including remuneration), termination of employment or other matters arising out of the employment.

The Act states that: "It is not discrimination to take affirmative action measures consistent with the promotion of equality or the elimination of discrimination in the workplace".

The Act provides for three months fully paid maternity leave and job security associated to role/function and two weeks' paternity leave for the male employees. It also provides for the collection of disaggregated data and requires every employer to keep a register of employees indicating the full name, age, sex, occupation, date of employment, nationality and educational level.

The Act states that an employer who employs 20 or more employees shall issue a policy statement on sexual harassment containing a comprehensive definition of sexual harassment. Further to that, the Act requires the (sexual harassment) policy to include a statement stating:

- that every employee is entitled to employment that is free of sexual harassment;
- that the employer shall take steps to ensure that no employee is subjected to sexual harassment;
- that the employer shall take such disciplinary measures as the employer deems appropriate against any person under the employer's direction, who subjects any employee to sexual harassment;
- that the employer will not disclose the name of a complainant or the circumstances related to the complaint to any person except where disclosure is necessary for the purpose of investigating the complaint or taking disciplinary measures in relation thereto; and
- how complaints of sexual harassment may be brought to the attention of the employer.

The Act obligates employers to bring to the attention of each person under the employer's direction the policy statement on sexual harassment. The Act specifically provides for separate facilities for women (and children) and men as follows: "When a multiple stance latrine or a block of latrines is

shared by more than one family, the accommodation provided for women and children shall be separate from that provided for men, and shall have a separate entrance”.

3.4 Institutional Mechanisms for Mainstreaming Gender Equality

Kenya has several institutions that constitute the national machinery for promoting gender equality and women’s empowerment. These include the State Department of Gender, the NGEC and gender focal persons in MDAs.

- **State Department of Gender**

The State Department of Gender in the Ministry of Public Service, Youth and Gender Affairs, created from the Ministry of Devolution and Planning in 2015, is the technical lead with regard to gender mainstreaming in policies and programmes within the Government. It is responsible for the formulation, review and management of gender related policies. It also monitors compliance with International conventions that Kenya is signatory to. The Department is also responsible for expanding credit financing to women for enterprise development and ensure equality in gender representation in all public appointments. The Department is in charge of the Women Enterprise Fund and the Uwezo Fund.

- **National Gender Equality Commission (NGEC)**

NGEC provides policy oversight to gender mainstreaming in the country. It monitors, facilitates and provides advice on the integration of the principles of equality and freedom from discrimination in the policy and legal frameworks at the national and county levels. NGEC is mandated to ensure that both public and private sector institutions are in compliance with the provisions of the Constitution which address gender equality and non-discrimination (NGEC, 2014).

- **Gender Focal Persons in MDAs**

Gender focal persons in MDAs are responsible for championing the gender equality agenda in their respective institutions. Their role is to ensure that pertinent gender issues are mainstreamed in the design, implementation, monitoring and evaluation of the respective sector policies and programmes.

3.5 Summary Analysis

The foregoing analysis shows that Kenya has a very progressive structure for gender mainstreaming cutting across different policy domains and institutions. The policy framework promotes women’s economic participation and opportunity, decision-making power and agency, and guarantees their safety and personal security. In addition, it provides an enabling framework for mainstreaming gender in (rural) transport policy, legislation, regulations, programmes and services.

Table 1 summarises the national gender policy directives in the context of the roads sub-sector.

Table 1: Summary of National Gender Policy Directives in the Context of the Roads Sub-Sector

Policy Directive	Legislation/Policy/Instrument	Targeted sector Instrument
Address women's transport needs.	- Constitution	Transport policy, strategies, plans, programmes
Provide improved access to reproductive health care.	- Vision 2030	
Provide improved access to schools.	- Vision 2030	
Affirmative action for women in infrastructure works/road projects.	- Vision 2030 - MTP2	Transport policy
Affirmative action for women in recruitment and training	- Constitution - Employment Act	Roads sub-sector MDAs: MTIHUD, KRB, KeRRA, KeNHA, KURA, NTSA and KWS.
Equal employment and training opportunities for women and men.	- Employment Act	
Affirmative action for women in road sub-sector institutions.	- Vision 2030 - MTP2	
Gender awareness creation and capacity building for staff.	- Performance Contract	
Comply with one third rule in appointments, promotions and employment.	- Performance Contract	
Gender equality enhancing measures in the workplace.	- Employment Act	<ul style="list-style-type: none"> - Roads sub-sector MDAs - Technical specifications for roads and bridges. - Contract documents (Consultants and contractors)
Sex disaggregation of employee data		
Equal pay for equal work.		
Three months fully paid maternity leave and job security associated to role/function.		
Two weeks' paternity leave with full pay.		
Not more than two-thirds of the members of governing bodies of road sector institutions should be of the same sex.	- Constitution	Transport legislation
Affirmative action for female contractors.	- MTP2	Transport policy
Address SGBV in construction projects.	- Vision 2030 - MTP1 - MTP2	<ul style="list-style-type: none"> - Transport policy, strategies, plans, programmes, budgets. - Technical specifications for roads and bridges. - Contract documents (Consultants and contractors)
Address SGBV in public transportation: assured seats for women, implementation and enforcement of SGBV legislation.	- Vision 2030 - MTP1 - MTP2	Transport regulations
Provide safe travel spaces i.e. street lighting	- Vision 2030 - MTP1 - MTP2	Transport policy, strategies, plans, programmes and budgets
Mainstream gender in transport policy, plans and programmes.	- MTP1 - MTP2	Transport policy, strategies, plans, programmes.
Develop a resource-bound gender policy for the transport sector	- Performance Contract	MTIHUD
Strengthen the gender divisions in road sub-sector institutions.	- MTP1	Roads sub-sector MDAs
Develop and implement a work place policy on GBV.	- Performance Contract	
Sector policy statement on sexual harassment in the workplace.	- Employment Act	
Collect gender disaggregated transport data to inform policy, plans and programmes.	- MTP1 - MTP2 - Performance Contract	
Shortlist and pre-qualify female-owned enterprises.	- Performance Contract	Roads sub-sector MDAs
Earmark a minimum of 30% of the budgetary allocations to road development and maintenance to enterprises owned by women, youth, PWDs and other disadvantaged groups.	- Public Procurement and Asset Disposal Act - Performance Contract	
All procurement reports to include disaggregated data indicating the number of disadvantaged groups that have benefitted.		
Tender securities not required in procurements reserved for small and micro-enterprises or enterprises owned by women, youth and PWDs. O	- Public Procurement and Asset Disposal Act	
Performance securities may be waived or fixed at not more than 1% of the contract price for works and supplies reserved for women, youth, PWDs and other disadvantaged groups.		
Every procuring entity shall ensure that all money paid out to an enterprise owned by youth, women or PWDs is deposited into an account where the mandatory signatory is a youth, woman or a PWD.		

4 Gender Norms and the Profile of Women in Kenya

4.1 Situation of Women

Social culture underlies prevailing norms and values that often create and then dictate differential rights, responsibilities, entitlements and participation between women and men. According to the Social Institutions and Gender Index (SIGI) developed by the OECD, women in Kenya experience

relatively high levels of discrimination. The country ranks 102 out of 110 countries assessed (OECD, 2014).

4.1.1 Economic participation and opportunity

Despite perfect gender parity in primary education enrolment, inequalities between girls' education, relative to boys', persist. Certain religious and cultural practices, such as the marriage of girls at a very early age, inhibit them from attending school. Due to the relatively high levels of poverty, parents often prefer to educate their sons at the expense of girls. The most affected girls are those living in rural areas and urban slums (RoK, 2008). Nearly one in four women (24.9%) compared to three out of ten men (27%) aged 25 and above have no schooling (World Bank, 2016). About twice as many women and men in rural areas as in urban areas have no education (KNBS, 2014). Girls are also underrepresented in science-based subjects. For instance, in 2012/13, female students constituted 43.8 percent of the total enrolled in public and in private universities, respectively (RoK, 2013). To improve women's access to higher education, qualifying females are considered to join university with two points less than the minimum entry points.

The gender inequalities in education put women at a disadvantage in the labour market. According to the 2014 Kenya Demographic and Health Survey (KDHS), 61 percent of women compared to 80 percent of men are employed. Additionally, more than half (52%) of the women are self-employed and 35 percent are not employed year-round (KNBS, 2014).

Most women do not have a secure personal income, as many are in vulnerable employment as unpaid family workers and own-account workers. A higher proportion of women (20%) than men (7%) in Kenya is not paid for their work (KNBS, 2014). Additionally, men's estimated earned per capita income is one-and-a-half times more than women's (WEF, 2016). Arguably, due to Government's gender responsive fiscal policy, there is more equality as regards access to financial services. For instance, more than half of women (51.9%) and men (58.9%) have accounts at a financial institution. Furthermore, the majority of women (78.3%) and men (80.2%) borrow money, some of which they invest in farming or other business (21.1% women compared with 27.8 men) (World Bank, 2016).

With only 35.7 percent of firms having female participation in ownership (World Bank, 2016), women are underrepresented in the corporate world. A survey conducted on micro, small and medium enterprises in Kenya established that women are concentrated in unlicensed businesses that are mostly micro and informal in nature compared to men (KNBS, 2016). The survey also revealed that most (54.9%) of the businesses that do not survive are owned by women.

Whereas women in Kenya are (legally) free to buy, own and sell assets as they choose, in practice, their access to land is severely restricted by customary law, which prevents them from owning or inheriting land and other forms of property. Accordingly, only 7 percent of women own land alone compared to 28 percent of men (KNBS, 2014). Women in Kenya are granted "life interest" in property rather than full ownership, which prevents them from using it as collateral for bank loans. In the event of the husband's death, this "interest" disappears upon remarriage. Even when women are able to acquire assets in their own name, their husbands often act as intermediaries in the transaction (OECD, 2014).

4.1.2 Women's Voice and decision-making power

Kenya's Constitution takes into account a one-third gender rule, which led to the creation of 47 special seats for women in the National Assembly. However, the one-third rule was suspended ahead of the 2013 elections. As such women constitute less than 30 percent of the National Assembly, the critical mass required to influence public decision-making. Table 2 shows that women make up only 25.5 percent of the national assembly, 20 percent of the Cabinet Secretaries, 27 percent of Senators and 0 percent of Governors (KNBS, 2017). As a result, Kenya ranks 64 out of 144 countries as regards women's political empowerment (WEF, 2016).

Table 2 Gender Representation in Public Decision-Making

Position	% F
Cabinet Secretaries	25.5
National Assembly	19.8
Principal Secretaries	36.6
Diplomatic Corps	28.1
Senators	26.9
Governors	0.0
Deputy Governors	19.2
County Commissioners	38.3
Sub County Commissioners	13.6
Chiefs	4.9
Assistant Chiefs	8.3
County Assembly	34.2

Source: KNBS, 2017. Economic survey

At the household level, inequitable gender relations restrict women's agency and decision-making power as well as their access to public space. The 2014 KDHS reports that more than half (51%) of married employed women, do not make independent decisions about how their cash earnings are used. Further to that, only 54 percent of currently married women participate in decisions pertaining to their own health care, major household purchases, and visits to their family or relatives (KNBS, 2014).

4.1.3 Safety and personal security

The prevalence of sexual and gender-based violence (SGBV) in Kenya is relatively high. This is despite the Sexual Offences Act of 2006 that outlaws, amongst others, defilement, rape, attempted rape, sexual assault, and sexual harassment. The prevalence of sexual violence of women in Kenya is more than twice that reported by men (6%). Nearly one out of two women (45%) and men (44%) have experienced physical violence since age 15 years. However, whereas the main perpetrators of physical violence against women are their husbands, men are mostly physically violated by parents, teachers, and others. Overall, 39 percent of married women and 9 percent of men aged 15-49 report having experienced spousal physical or sexual violence (KNBS, 2014).

4.1.4 Summary Analysis

The analysis shows that the progressive formal legal framework and key institutions to promote gender equality have not sufficiently improved women's situation and position, relative to men's. Kenya is categorised under group 4, which comprises countries with medium to low equality in Human Development Index (HDI) achievements between women and men. Further to that, it ranks 135 out of 159 countries in the 2016 Gender Inequality Index that benchmarks national gender gaps based on economic, political, education and health criteria (UNDP, 2016). The country also performs poorly as regards the Social Institutions and Gender Index (SIGI) that measures discrimination against women, ranking 102 out of 110 countries assessed (OECD, 2014). With a ranking of 63 out of 144 countries, Kenya's performance is slightly better as regards the Global Gender Gap Index that seeks to measure the relative gaps between women and men across four key areas, namely: health, education, economy and politics (WEF, 2016). This is largely attributed to the progress made in women's economic empowerment. Kenya ranks 48 out of 144 countries as regards women's economic participation and opportunity.

Table 3 summarises key gender equality and women's rights indicators in Kenya.

Table 3: Key Gender Equality and Women's Rights Indicators

Key indicator	Source	Year	Value	Rank	Total Ranked
Human Development Index	UNDP	2016	0.555	146	188
Gender Development Index	UNDP	2016	0.919		188
Gender Inequality Index 2016	UNDP	2016	0.565	135	159
Social Institutions and Gender Index 2014	OECD	2014	0.2157	102	110
Global Gender Gap Index	WEF	2016	0.86	63	144
Key indicator	Source	Year	F	M	National
Demographic					
Proportion of population (%)	KNBS	2014	51	48	
Proportion of rural population (%)	KNBS	2014			66
Household headship (%)	KNBS	2014	32.2	67.8	
Education					
Proportion with no formal schooling (%)	World Bank	2016	16	11	
Proportion of rural population with no formal schooling (%)			32	22	
Enrolment in primary education (%)	WEF	2016	87	83	
Enrolment in secondary education (%)	WEF	2016	56	57	
Enrolment in tertiary education (%)	WEF	2016	3	5	
Adult literacy rates (%)	WEF	2016	75	81	
Health					
Maternal mortality rate (per 100,000 live births)	KNBS	2014	362		
Infant mortality rate (per 1000 live births)	KNBS	2014			39
Under five Under-five mortality rate (per 1000 live births)	KNBS	2014			52
Women who make at least 4 antenatal care visits (%)	KNBS	2014	57.6		
Births which occur in a health facility (%)	KNBS	2014	61.8		
Births delivered by a trained health professional (%)	KNBS	2014	62		
Women receiving postpartum care (%)	KNBS	2014	53		
Modern contraceptive prevalence rate (%)	KNBS	2014	53		
Total fertility rate rural areas (children per woman)	KNBS	2014			3.9
Level of teenage pregnancy (%)	KNBS	2014	14.7		
Sexual and Gender Based Violence					
Proportion aged 15-49 who have ever experienced physical violence since age 15 (%)	KNBS	2014	45	44	
Proportion aged 15-49 who have ever experienced sexual violence (%)	KNBS	2014	14	6	
Proportion aged 15-49 ever experienced spousal physical or sexual violence (%)	KNBS	2014	39	9	
Employment and Land Ownership					
Proportion of labour force (%)	KNBS	2014	61	80	
Labour force participation (%)	WEF	2016	63	72	
Income Distribution					
Estimated earned income (US\$, PPP)	WEF	2016	2,334	3,574	
Time Use					
Adult (15+) household member who normally fetches drinking water – rural (%)	KNBS	2014	64.2	7.7	
Adult (15+) household member who normally fetches drinking water – urban (%)	KNBS	2014	34.3	10.9	

Sources: KNBS, 2014. *The 2014 Kenya Demographic and Health Survey*; OECD, 2014. *Gender, institutions and development database UNDP, 2016. Human development report 2016* WEF, 2016. *The Global Gender Gap Report 2016*; World Bank, 2016. *Gender Statistics*.

4.2 Gender in the Context of Rural Transport

4.2.1 Time/space activity patterns and transport needs

Women's and men's work in rural Kenya is generally gendered and this influences their daily mobility patterns. Women and men organise their lives differently within the framework of the

family and the household. Women in Kenya constitute 80 percent of agricultural workers, are responsible for most of the food storage and transport from farm to the home (80%), and undertake 60 percent of the harvesting and marketing of crops (AfDB, 2007). Most of the women's and men's trips to and from their fields and the markets are predominantly undertaken on community access roads or footpaths.

In addition to productive work, women are socially ascribed a disproportionate responsibility of the labour and time intensive activities in the unpaid care economy. These involve work undertaken for the maintenance of the household and its members such as caring for children, the sick and the elderly as well as head and back loading heavy loads of water, firewood and food. As with their agricultural work, most of rural women's care activities are undertaken away from the classified roads and without the benefit of energy or time-saving technologies.

The 2014 KDHS reports that when water is not on the premises, the responsibility of collecting drinking water usually rests on adult women. In rural areas, women are responsible for collecting drinking water in 57 percent of households (KNBS, 2014). Nearly three out of 10 (27.8%) households in Kenya travel 30 minutes (round-trip) or longer for their water (World Bank, 2016). In rural areas, 4 in 10 households spend 30 minutes or more to obtain their drinking water (KNBS, 2014). A study in seven communities in Western Kenya shows that women and girls in households with water connections save about 1.5 hours per day (Crow et al, 2012).

Nationally, 75 percent of households use solid fuels, mostly wood (KNBS, 2014), which is predominantly collected by women. According to Budlender and Moussié (2013), women in Kenya spend around 2.5 times more time per day on fuel and water provisioning than do men.

Head and back loading over long distances is a safety issue that has not been given due consideration in policy and practice. Besides the health risks, overloading on the head or back may affect women's ability to see and hear the sound of oncoming vehicles, potentially contributing to accidents. Women are disproportionately affected by accidents as both victims and caregivers of survivors.

Considering their reproductive role, women are overly affected by long distances to health facilities, and in particular those offering child and maternal care. Further to that, given their caregiving tasks, women are more likely to travel with dependents, to school, health facilities and for social trips than men. According to the 2014 KDHS, nearly one out of four women (23%) mentioned distance to the health facility as a barrier to accessing health care (KNBS, 2014).

Women experience a disproportionate burden but lack secure access to means of transport either due to cost or culture dictates. For instance, in many societies, it is culturally unacceptable for women to ride bicycles (MoR, 2012) and yet these are the most accessible means of transport in rural areas.

4.2.2 Gender dimensions of road improvement

Road improvement, in particular labour-based projects, offer great potential for expanding employment opportunities for unskilled women and men. But at the same time, there are some negative effects which affect women disproportionately. For instance, the needs of landless women are not given adequate consideration in land acquisition, compensation and resettlement for new road construction. Further to that, anecdotal evidence suggests that after being compensated for their land, many men abandon their wives and children and set up new families. The impact of degradation of infrastructure, such as water points during road improvement, also tends to be borne by women.

Safety of women and girls living near construction sites or along transport corridors is a concern. The influx of temporary construction workers as well as cash in the communities increases the risk of sexual violence against women and girls. The construction workers spend considerable amounts of time away from their families and have a regular supply of money from their work. Many engage in casual and multiple sexual relationships some of which result in unwanted pregnancies and HIV infection.

4.2.3 Safety and personal security in public transportation

GBV is widely prevalent in Kenya's public transportation. A study conducted by the Women's Empowerment Link (WEL) reported that 54 percent of the respondents had experienced GBV while using public transportation, while 61 percent indicated that they knew of someone who had been a victim (WEL, 2015). The study further reported that female passengers, in particular, often encounter sexual harassment in overcrowded minibuses or buses. A GeoPoll flash survey conducted in 2016 on safety using public transport vehicles revealed that nearly one in two women (47%) experience harassment while using minibuses (*matatus*) (Wangari, 2016).

...female students are often lured into sexual activities by motorcycle taxi riders with the promise of monetary rewards; while other operators often drop the girls further from (sic) their intended destinations or in secluded areas so as to try and secure sexual favours from them. Other motorcyclists offer free transport (services) to the girls...they end up exploiting them sexually (WEL 2015:19)

The most common forms of violence on public transportation, reported by the WEL (2015) study, include use of insulting language (26%), being forced into vehicles by operators (23%) and unwelcome and indecent touching by male crews (18%). Others include rape, overcharging, denial of bus fare balances and stripping of female commuters. The study further pointed out that there was an apparent increase in the number of media reports highlighting incidences of women being stripped and sexually assaulted while using public transport and in public spaces.

A study on gender relations in public road transport in Africa identified the *matatu* crew as the main perpetrators of SGBV in public transportation (Mwangi, 2014). The study reported that the perpetrators justify the stripping and groping of women at bus stands ostensibly because the victims are "indecently" dressed.

The WEL (2015) study revealed that only 12.8 percent of the SGBV cases in public transportation are reported. According to the GeoPoll survey (2016) 71 percent of the survivors of violence in *matatus* do not report the crime because they believe that they will not get justice. WEL (2015) identified lack of prosecution as the major deterrent to reporting. Only 7.7 percent of the reported cases end up in court with the others being dismissed for lack of evidence or witnesses. The study also reported that societal perception about violence against women and girls is a non-issue is another barrier to survivors seeking justice. The other is the stigmatisation of survivors of sexual violence.

Motorcycle safety is another issue of concern for women. Whereas sex disaggregated data on crashes are not available, women in some communities could be disproportionately affected due to cultural dictates that prohibit them from riding astride (as passengers) and restrict them to riding side-saddle. Anecdotal evidence suggests that the latter is riskier particularly while riding on poorly maintained roads and on motorcycles with reckless drivers.

Kenyan Women May be Forced to Ride Side-saddle on Motorbikes

Because women who straddled a motorcycle were “distracting” men from driving safely, a county in Kenya is proposing a law that could force women to sit side-saddle while a man drives the motorcycle or bike. Kisumu County assembly members agreed that the sitting position of women straddling a bike, called ‘bet angewa,’ was unconstitutional and un-cultural. Because women were “exposing their bodies” by opening their legs on the bikes, men began losing respect for them. Now it is the safety and mobility of the women that will be put at risk — especially when they’re wearing long, flowing clothing hanging over the sides of the bike (Quin, 2013).

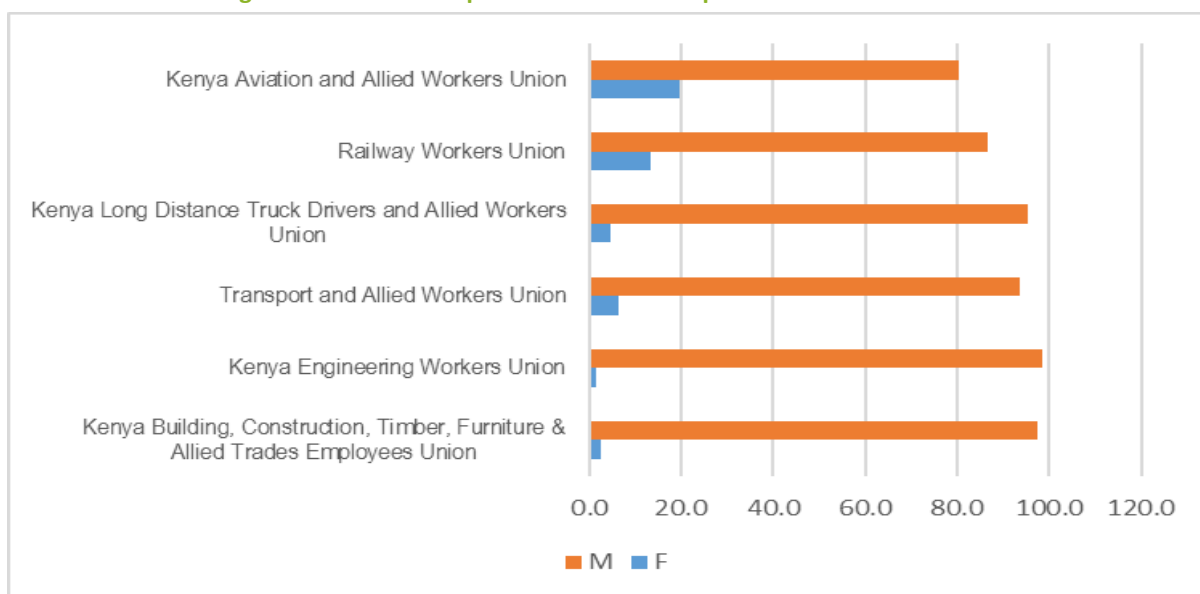
4.2.4 Women’s relative to men’s participation in the transport sector

Women and men have different capabilities to participate in the design and delivery of transport infrastructure and services. Women have less access to employment generated in the transport sector due to under-representation in engineering, cultural issues over women working outside the home; and difficulties of organising childcare. Women are thus underrepresented amongst transport professionals, implying that their views and needs are not adequately reflected in policy, planning and infrastructure design.

Women constitute only 8 percent of the engineering workforce in Kenya. Additionally, the majority of the actors in transport operations including owners, operators, traffic code enforcers are men. Women comprise 13.6 percent of the informal transport operators and an even lower 5 percent of the workers, the majority (62.3%) of whom are employed as conductors, office and route managers (Mwangi, 2014).

Women constitute 9.2 percent of the workers in the transport and communications industry and a mere 1.9 percent in the construction industry (LO/FTF Council, 2014). Whereas women comprise nearly half (48%) of the Kenya trade unions’ membership, they are grossly underrepresented in the transport-related unions.

Figure 2: Gendered Representation in Transport-Related Trade Unions



Source: Danish Trade Union Council for International Development Cooperation (LO/FTF Council), 2014. Kenya Labour Market Profile 2014

4.2.5 Barriers to women's participation in projects

The study conducted by WEL (2015) identified various factors for women's underrepresentation in public service transport, both as investors and operators/workers. The study reported that 40.6 percent of the participants pointed out that transport is a traditional male domain and female entrants in the sector are perceived to be "unfit" and incompetent. Additional barriers identified included: stiff competition from men (12.8%), insults from male passengers (10.3%), sexual harassment (7.7%), insecurity on the roads (7.7%) and the risk of family break-ups due to long working hours (7.7%).

A time use survey conducted in four countries (Kenya, Nepal, Nigeria and Uganda) established that women in Kenya spend 6 hours per day on unpaid household work compared to men's 2.8 hours. Their workday is also much longer (12.6 hours/day), compared with men's (9.1 hours/day) (Budlender and Moussié, 2013). Women's role in agriculture coupled with the disproportionate burden of household work means that they are more labour constrained than men and face trade-offs among competing uses of time, which in turn limits their ability to engage in the transport sector. Anecdotal evidence also suggests that men feel insecure when their wives start earning, which may deny them an opportunity to participate in road works.

4.2.6 Summary Analysis

Men and women have different socio-economic roles and responsibilities that account for differences in mobility and travel patterns and therefore, transport needs. Rural women typically travel shorter distances and make multiple trips. Most of this travel is undertaken on community access roads, footpaths and bridges. When they use public transportation, women are also more likely to travel with children or dependent elderly persons.

There is a high prevalence of violence against women and girls in transport and public spaces related to transport. This could impose restrictions on women's and girls' mobility.

Women are overburdened with domestic work and their labour is not easily transferable to the market economy. Women experience difficulties in accessing financial capital due to insecure access to productive assets as well as restricted voice over resources such as land. Accordingly, women are underrepresented amongst contractors and transport operators.

5 Gender Responsiveness of the Transport Sector

This section examines to what extent the transport sector is responsive to the gender differentiated demands for, and benefit from the sector identified in Section 4. In addition, it assesses how well the sector implements the policy directives on gender contained in:

- The 2010 national constitution
- Vision 2030
- MTP1 (2008-2012) and MTP2 (2013-2017)
- The Performance Contract
- The 2015 Public Procurement and Asset Disposal Act
- The 2007 Employment Act

The national policy directives on gender collectively oblige the transport sector to:

- a. Mainstream gender in transport policy, plans and programmes.
- b. Develop a resource-bound gender policy for the transport sector.
- c. Strengthen the gender divisions in road sub-sector institutions.
- d. Promote female entrepreneurship as contractors and consultants (and transport operators).
- e. Address women's transport needs.
- f. Ensure that not more than two-thirds of the members of governing bodies of road sector institutions are of the same sex.
- g. Institute affirmative action for women in recruitment and training and in road improvement projects.
- h. Institute gender equality enhancing measures in the workplace.
- i. Conduct gender awareness creation and capacity building for staff.
- j. Collect gender disaggregated transport data to inform policy, plans and programmes.
- k. Collect sex disaggregated employment and procurement data.
- l. Address SGBV in construction projects and public transportation.
- m. Provide safe travel spaces.

5.1 Gender Sensitivity of Transport Sector Legislation and Regulations

5.1.1 Transport legislation

Kenya Roads Board Act, 1999

The Kenya Roads Board Act, 1999 (revised edition 2012) that provides for the establishment, powers and functions of the Kenya Roads Board and for connected purposes (NCL, 2012a) uses gender insensitive language such as "he" "his", "chairman", "vice chairman". The Act specifies the League of Kenyan Women Voters as one of the organisations that may nominate representatives to be appointed as members of the board by the Minister. However, the Act falls short of guaranteeing women's representation in the governance of the Board.

Kenya Roads Act, 2007

The Kenya Roads Act, 2007 (RoK, 2007b) that provides for the establishment of the KeNHA, KURA and KeRRA uses gender insensitive language such as "chairman". In addition, it does not provide for gender equality in representation on the three statutory boards. This suggests that women's voice may be absent or underrepresented in decision-making on the three boards.

Public Roads and Roads of Access Act, 2010

The Public Roads and Roads of Access Act, 2010 (NCLR, 2010) does not provide for women's representation on the statutory district road boards. Additionally, it uses gender insensitive language such as "chairman", "he" and "his" in respect to the membership of the district road boards as well as land owners (the potential applicants for private access roads). Further to that, the Act does not provide for safe travel spaces.

National Construction Authority Act, 2011

In line with the constitution, the National Construction Authority Act, 2011 provides for gendered representation on the board of the National Construction Authority (NCLR, 2011).

The Traffic Act, 2012

The Traffic Act, 2012 that consolidates the laws relating to traffic on all public roads is not only silent on gender, it also uses language that is exclusive of women i.e. “he” and “himself” (NCL, 2012b).

National Transport and Safety Authority Act, 2012

The National Transport and Safety Authority Act, 2012 (revised edition 2014) that provides for the establishment, powers and functions of the National Transport and Safety Authority states that in appointing persons as members of the Board, the Cabinet Secretary shall have regard to the principle of gender equity and regional balance (NCL, 2014).

Land Acquisition Act, 2012

The Land Acquisition Act (NCLR, 2012c) that makes provision for the compulsory acquisition of land for the public benefit (including road construction) is silent on gender.

5.1.2 Transport regulations

2015 National Transport and Safety Authority (Operation of Motorcycles) Regulations

The 2015 National Transport and Safety Authority (Operation of Motorcycles) regulations requirement of passengers (with the exception of PWDs), to sit astride on motorcycles (NTSA, 2015) is progressive and promotes women’s safety. However, anecdotal evidence suggests that the law was not well-received by some segments of society who believe that “legs together” (side saddle) upholds Kenya’s cultural values suggesting a need for greater gender awareness and promotion of road safety.

The regulations are silent on SGBV.

National Transport and Safety Authority (Operation of Public Service Vehicles) Regulations, 2014

The 2014 National Transport and Safety Authority (Operation of Public Service Vehicles) Regulations require the service provider to have in place a code governing its employees (NTSA, 2014). However, there is no explicit provision regulating against SGBV in public service vehicles. Additionally, the regulations do not provide for priority seats for pregnant women or women travelling with children, the sick or the elderly.

5.2 Gender Responsiveness of Transport Policy

Sessional Paper of 2006 on the Development and Management of the Roads Sub-Sector for Sustainable Economic Growth

The Paper (MoRPW, 2006) highlights the historical gender imbalance among the professionals and managers of the roads sub-sector partly attributed to women being underrepresented in training institutions offering career paths in the sector. Adding that these imbalances are also apparent in the unskilled road sub-sector labour force. The Paper commits the Government to mainstreaming gender in all aspects of the sub-sector, including actively promoting equal opportunities for both women and men.

The Paper also recognises the importance of non-motorised transport (NMT) in improving mobility. It thus commits the Government to developing NMT infrastructure and facilities where sufficient demand exists. These include establishing design standards, provision of separate cycle-ways, tracks and footpaths and ensuring safe crossing places where NMT streams intersect with motorised traffic.

Whereas there is a clear demand for NMTs in the rural areas in Kenya, the Government is yet to develop the proposed infrastructure and facilities.

Integrated National Transport Policy, 2009

The Policy (MoT, 2009) acknowledges that women bear a disproportionate burden of the household social and economic activities. Added to that, women, especially in poor rural and informal urban settlements, spend a lot of time walking in search of basic needs, leaving them with very little time to engage in viable commercial and economic activities. Furthermore, the Policy points out that women transport goods by back and head loading, as they have no access to other modes of transport.

The Policy underscores the potential role of NMIMTs in, amongst other things, alleviating women's transport burden. It thus commits the Government to creating a conducive environment for the development and use of NMIMTs, especially among women. Moreover, it commits to the provision of appropriate basic road infrastructure, furniture and other amenities, including pedestrian crossings, walkways, footbridges and other facilities for NMIMTs.

The Policy points out the prevalent prejudices against NMIMTs, in general, and their use by women and girls, in particular. The Policy thus commits the sector to promote the increased use of NMIMTs through awareness creation campaigns addressing gender, and other stereotypes.

The Government is yet to implement the policy proposals.

Policy on Aligning the Roads Sub-sector with the Constitution, 2012

The purpose of this Policy (MoR, 2012) is to articulate the Government reform agenda in the roads sub-sector and to provide a basis for the enactment of legislation to strengthen the legal and regulatory framework in line with the 2010 Constitution. The Policy is also intended to provide a foundation for the establishment of governance structures for the sub-sector. The Policy provides for the composition of the boards of the proposed statutory bodies to comprise of not more than two thirds of either gender.

The Constitution requires the roads sub-sector to address women's transport needs. However, it is evident that the Policy is not informed by a gender analysis. The Policy lacks a statement on ensuring that the gender dimension is integral to all aspects, and at all levels, of the roads sub-sector.

Non-Motorised Transport Policy for Nairobi City County, 2015

The Policy states that owing to motor vehicle-orientated engineering and planning, NMT facilities do not always receive the attention that they deserve (Nairobi City County Government, 2015). Further to that, the Policy points out that pedestrians and cyclists are vulnerable as they are exposed to risk in a motor vehicle-dominated transport system. The Policy calls attention to the fact that users are exposed to fast, aggressive and high motorised transport volumes that typically encroach on NMT spaces. Adding that this imposes restrictions on the mobility of vulnerable road users, including women and children.

The Policy points out that, whereas there is a lack of sex disaggregated data on cycling, it is evident that women in Kenya experience restricted use of bicycles. Adding that, as elsewhere in Africa, this could be due to the fear of personal safety and security along the roads and streets. Additional factors could be affordability, cultural dictates and the (great) effort required to ride a bicycle.

The Policy's monitoring and evaluation framework provides for undertaking regular pedestrian and cyclist traffic surveys (providing sex and gender disaggregated data) at specified locations and times, including bicycle parking counts at transit stations, to aid in planning and evaluation of NMT interventions.

To address potential violence, the Policy recommends that isolated areas and road sections with high incidences of robberies and harassment should be prioritised for installation of street lighting. The Policy recommends conducting research, to gain a fuller understanding of NMT in Nairobi City, to inform the design of gender responsive strategies.

5.3 Road Sector Plans and Strategies

5.3.1 Road sector investment programme and strategy

The Road Sector Investment Programme and Strategy (RSIP), 2010-2024 (MoR, 2010) outlines the strategies, programmes and projects for the development of road infrastructure in the short, medium and long-term to enable achievement of the Kenya Vision 2030. The RSIP recognises women's triple roles as income earners, home-makers, and community managers. Furthermore, it acknowledges that due to their socially ascribed roles of carrying fuel, water, and agricultural produce, often by head-loading, women experience a disproportionate transport burden. And yet they have less access, than men, to private vehicles, public transportation and NMTs. Adding that, these transport tasks are unpaid as well as time-consuming, leaving women little time to participate in formal employment.

The RSIP highlights how culture and the inequitable intra-household power relations contribute to gender inequalities in transport, which in turn reinforce women's disadvantage as follows:

- a. Poor women are more dependent on public transportation than men. However, the off-peak and peripheral public transit routes on which many women depend for their travel to shopping or social facilities receive less priority than the radial commuter corridors that go straight to the city centre.
- b. Although women carry the lion's share of the transport burden, services, at the times they need them and at prices they can afford, rarely exist.
- c. The most predominant mode of travel for low income women is walking and head-loading.
- d. Women make shorter, more frequent and more dispersed trips than men.
- e. Rural women in Africa transport at least three times more ton-kilometres per year than men.
- f. Women in urban areas experience restricted access to transport services either because these are too expensive or inconveniently located.
- g. Besides walking, bicycles or animal-drawn carriages are the most accessible and affordable modes of transport available for women. However, prevailing socio-cultural norms impose restrictions on women's use of these NMTs. For instance, in many societies, it is culturally unacceptable for women to ride bicycles and yet these represent the most appropriate means for shorter and medium length trips with multiple stops.
- h. Transport infrastructure and services do not benefit women and men equitably. Rather, they largely serve men who work in the formal sector, but are generally lacking for women in their roles as informal sector traders, subsistence farmers, and transporters of children (to school and health facilities) as well as water, food, and fuel for domestic use.

One of the underlying principles of RSIP is the full participation of both women and men in road management. The RSIP identifies gender mainstreaming among the critical aspects to the successful delivery of transport projects. Additionally, it acknowledges that transport interventions that respond to women's transport needs expand their income-earning activities, increase their productivity and promote gender equality. Accordingly, the RSIP recommends that transport planning should be informed by a gender analysis. Further to that, it underscores the need for a roads sub-sector gender policy and mainstreaming guidelines.

One of the RSIP prioritised actions is the provision of NMT facilities such as cycle tracks and footpaths as well as the construction of pedestrian crossings during road improvements. Citing the success of the labour-based Rural Access Roads Programme, Minor Roads Programme and Roads 2000 Programme in generating employment opportunities for women, the RSIP recommends the use of innovative infrastructure delivery procedures to promote gender equitable transport.

The RSIP proposes a checklist of questions to be used during the preparation stage of transport projects capturing the following:

- a. Women's time use and travel patterns relative to men's.
- b. Women's transport needs relative to men's.
- c. Responsiveness of transport infrastructure and services to women's needs relative to men's.
- d. Cultural, time, economic and other barriers to women's access to transport relative to men's.
- e. Women's participation in the prioritisation and design of the respective transport project relative to men's.

To ensure that the roads sub-sector addresses cross-cutting issues, the RSIP allocates a dedicated budget of KShs 2 billion annually for gender and equity mainstreaming.

5.3.2 The Roads 2000 Strategy

The Roads 2000 Strategy is a pro-poor intervention whose objective is to provide access and reduce transportation costs for Kenyans through the improvement and maintenance of low volume roads while providing employment by using local resources, principally labour as a first choice. Improved roads under the Roads 2000 Strategy are aimed at enhancing access to basic services such as health facilities, schools, trading centres and emergency responses.

Promotion of gender equality is one of the designated cross-cutting issues of the Roads 2000 Strategy that need to be continuously pursued to ensure impact. The Roads 2000 defines a minimum quota for women's participation in road improvement works undertaken under the Strategy. This was initially set at 30 percent but revised to 33.3 percent to comply with the provisions of the Constitution (MoR, 2013). The Roads 2000 Contractors' Field Handbook (2006) states that it is the obligation of project managers, engineers and contractors to ensure that gender mainstreaming is achieved in all aspects of contract works (Tanzarn et al, 2007).

Between 2005 and June 2010, the Roads 2000 Strategy generated about 4.7 million person-days of employment, trained 5,600 contractors and injected more than Ksh1 billion (US\$13 million) into the rural Kenyan economy. About 25 percent of the direct beneficiaries of the programme were women (MoR, 2013), which was below the predefined target of 30 percent.

The 2013-2017 Roads 2000 Strategic Plan (MoR, 2013) provides more scope for gender mainstreaming in road development and improvement. One of the strategic objectives of the plan is to ensure full integration of cross-cutting issues.

The key strategies to achieve this objective include:

- a. Formulate supportive policy instruments including guidelines to facilitate the wider mainstreaming of all cross cutting issues.
- b. Revise contract procedures to ensure improved sensitivity to cross-cutting issues.
- c. Include a minimum threshold for women's participation in performance contracts of agencies.

- d. Introduce simplified contract documentation that takes into account the rights of workers, gender equality, PWDs, Occupational Safety and Health (OSH), environmental issues, road safety etc.
- e. Provide adequate funding to projects to ensure compliance to mainstreaming cross-cutting issues.
- f. Conduct targeted awareness creation campaigns to encourage women's participation.
- g. Provide conducive working environment for women i.e. facilities, flexible working hours in Roads 2000 projects.

The national targets to be achieved over the plan period (2013-2017) are specified as follows:

- a. Sub-sector and corporate gender policies developed and implemented.
- b. Roads 2000 operational manuals and guidelines reviewed and revised in line with existing Government policies that facilitate the mainstreaming of cross-cutting issues in the roads sub-sector including 33.3 percent minimum women's participation.
- c. Sub-sector and corporate policies and guidelines on cross cutting issues applied in all projects.
- d. Operational and reporting systems incorporate cross-cutting issues.
- e. All Roads 2000 programmes and projects comply to sub-sector gender policies.

The Strategic Plan does not include a dedicated budget for gender mainstreaming.

5.3.3 NTSA strategic plan 2016 -2020

In contradiction of the national policy directives on gender, the abridged version of the NTSA Strategic Plan, 2016-2020 (NTSA, 2016) is completely silent on gender. This suggests that SGBV in public transportation and transport spaces may continue unabated.

5.3.4 Gender equality score card for the reviewed transport policies

Table 4 presents the gender score card for the reviewed transport policies and strategies. The score card assesses the quality of gender mainstreaming of the respective policy or strategy against key indicators, categorised into four broad groups as follows:

- The first group of indicators assesses the extent to which the respective policy or strategy was informed by a gender analysis.
- The second group of indicators assesses the extent to which the design of the respective policy or strategy contains measures to:
 - address women's relative to men's transport needs;
 - alleviate women's transport burden;
 - promote women's safety and personal security;
 - promote female entrepreneurship;
 - minimise barriers to women's participation in the labour market of the infrastructure sector and transport operations.
- The third group of indicators assesses whether the respective policy or strategy provides for the collection and analysis of data on:
 - gender differentiated demands for transport; and
 - women's participation in, and benefit from all aspects of the labour market of the infrastructure sector and transport operations, relative to men's.
- The fourth group of indicators assesses whether the respective policy or strategy allocates a dedicated budget for gender mainstreaming.

Table 4: Gender Score Card for Transport Policy and Strategies

Key Gender Mainstreaming Indicators	Sessional Paper, 2006	Integrated National Transport Policy, 2009	Policy on Aligning the Road Sub-Sector to the Constitution, 2012	Nairobi County NMT Policy, 2015	RISP, 2010
A SITUATION ANALYSIS					
Does the document acknowledge?					
Women's relative to men's time use	NO	YES	NO	NO	YES
Women's time poverty	NO	YES	NO	NO	YES
Gender differences in resource ownership	NO	NO	NO	NO	YES
Restricted women's decision-making power	NO	NO	NO	NO	NO
Women's relative to men's transport burden	NO	YES	NO	NO	YES
Differences in women's relative to men's travel patterns	NO	NO	NO	NO	YES
Differences in women's relative to men's transport needs	NO	NO	NO	YES	YES
Women's relative to men's safety and personal security	NO	NO	NO	YES	NO
SGBV in infrastructure projects	NO	NO	NO	NO	NO
SGBV in public transportation	NO	NO	NO	NO	NO
Women's restricted mobility	NO	NO	NO	YES	YES
Women's restricted employment opportunities in the sector	YES	NO	NO	NO	NO
Women's restricted access to means of transport	NO	PARTLY	NO	YES	YES
Women's restricted entrepreneurship in the transport sector	NO	NO	NO	NO	NO
Retrogressive socio-cultural norms and values impose restrictions on women's demand for and benefit from the sector	NO	PARTLY	NO	YES	YES
B OBJECTIVES AND STRATEGIES					
Does the document include gender objectives?	NO	NO	NO	NO	NO
Does the document include the following gender strategies/activities?					
• Affirmative action for women	NO	NO	YES	NO	NO
• Flexible credit facilities for women	NO	NO	NO	NO	NO
• Capacity building for women	NO	NO	NO	NO	NO
• Women friendly working environment	NO	NO	NO	NO	NO
• Gender awareness creation	NO	YES	NO	NO	NO
• Addressing sexual and gender based violence in construction	NO	NO	NO	NO	NO
• Addressing sexual and gender based violence in public transportation	NO	NO	NO	N/A	NO
• Providing safe travel spaces	NO	NO	NO	YES	NO
• Promoting NMTs/IMTs	YES	YES	NO	YES	YES
• Prioritising investments in community access roads	NO	NO	NO	N/A	NO
• Prioritising investments in foot paths and bridges	NO	YES	NO	YES	YES
• Others: development of a sub-sector gender policy					YES
• Others: use of innovative infrastructure delivery procedures to promote gender equitable transport					YES
C PERFORMANCE MONITORING					
Does the document include gender sensitive indicators?	NO	NO	NO	YES	NO
Does the document provide for the collection of sex and gender disaggregated data?	NO	NO	NO	YES	NO
D GENDER BUDGETING					
Are resources allocated for implementing the prioritised gender strategies?	NO	NO	NO	NO	YES

5.4 Transport Sector Management Information System

We were unable to access documentation to establish the gender sensitivity of the transport sector management information system. However, it is a statutory obligation for all MDAs to submit quarterly reports to, amongst others, the NGEC demonstrating how gender and other diversity issues are addressed. This suggests that the transport MDA's management information systems are likely to be capturing:

- a. Sex disaggregated employee data as per Employment Act.

- b. Gender disaggregated transport data as per Performance Contract.
- c. Sex and age disaggregated procurement (beneficiary) data as per Public Procurement and Asset Disposal Act.

5.5 Implementation Tools for Delivery of Road works

5.5.1 Standard specifications for roads and bridge construction

The standard specifications for roads and bridge construction include a section on HIV and AIDS, gender issues, social issues and local participation. Whereas this is a billable item, the document states that: “No separate payment shall be made for this item but the Contractor will be expected to comply fully with the requirements of this clause”.

The standard tender document for procurement of roads works contains some gender sensitive clauses. For instance, the MTIHUD/KeRRA (2016) bid document for upgrading and maintaining Samburu-Kinango road contained the following clauses:

- a. It is the obligation of Contractor to ensure that gender equalisation is achieved in all aspects of contract works. That means women should get equal opportunities with men and the recruitment process must clearly demonstrate this.
- b. Men and women should receive equal pay for work of equal value.
- c. The Contractor shall ensure that no more than two thirds of either gender is engaged in the Contract.

5.5.2 The Kisii Training Centre (KTC)

The Kisii Training Centre (KTC), which is part of the Kenya Institute of Highways and Building Technology, is the (training) service provider to all the Roads 2000 projects. KTC is involved in the development and implementation of Roads 2000 training courses both in the classroom and in the field. The KTC general training plan incorporates gender mainstreaming. One of the administration and social critical performance indicators that is supposed to be assessed by KTC during the practical training is equal treatment of women and men on project sites (Tanzarn et al, 2007).

We were unable to assess the extent to which the training offered by KTC incorporates gender.

5.6 Gender equality institutional mechanisms in the transport sector

A study on the management of diversity issues in the then Ministry of Transport and Infrastructure (MoTI) revealed that gender mainstreaming has been endorsed by the top management of the Ministry (Ojango, 2014). This is largely due to the embedment of gender mainstreaming in the performance contracts of the Cabinet Secretaries as well as the requirement for quarterly and annual reporting to the NGECC.

The Ministry has a broad policy on gender. Its GBV policy clearly articulates zero tolerance to sexual harassment in the work place. Furthermore, the Ministry’s code of ethics includes a clause that states that: “A public officer shall not sexually harass a member of the public or a fellow officer” (MoTI, nd). The Ministry has an inter-departmental committee to oversee compliance to diversity mainstreaming (including gender) in recruitment, training, annual planning and routine data collection and periodic reporting (Ojango, 2014).

6 Gender Mainstreaming in Roads 2000/AFD

6.1 Project Background: Socio-economic and Political Context

AFD has been engaged in the implementation of road sector projects in Kenya since 2002. Its focus has been on the improvement of rural roads in the agriculturally productive areas of central Kenya. The improvements are undertaken under the Roads 2000 Strategy, which carries out works using locally sourced labour, materials and equipment. This ensures that development funds are channeled to the rural communities, thereby improving these economies. Phase 1 of Roads 2000/AFD project was implemented in Murang'a and Nyandarua regions between June 2007 and December 2011. The second phase of the project was implemented from 2011-2017 in Kiambu, Kirinyaga, Laikipia, Murang'a, Nyandarua and Nyeri regions.

6.2 Identification

The identification of both phases of the Roads 2000/AFD project was not informed by a comprehensive gender analysis. However, during implementation, baseline studies were conducted to establish the level of women's engagement in business activities that could potentially be impacted on by the project.

The project documents for both phases identified gender, environment and HIV and AIDS as cross-cutting issues.

6.3 Design and Appraisal

Both phases of the project did not include explicit gender objectives. The project, however, benchmarked the level of women's participation in roads and defined a minimum target of 30 percent of women's participation. The project provided for a socio-economist as well as a gender expert on the implementation team. Both phases also allocated a dedicated budget for mainstreaming cross-cutting issues, including gender.

Both phases of the project did not include a gender appraisal. Accordingly, there were no measures put in place to strengthen gender outcomes or to mitigate against potential negative impacts of the project on gender equality and women's empowerment. For instance, the feasibility study for completion of phase 2 was completely silent on gender (MoTI/KeRRA, 2015).

6.4 Implementation

The project was implemented by KeRRA through contractors and consultants. Each phase was implemented in batches. The socio-economic aspects of the project implemented under each batch included the following four components, namely:

- a. Baseline studies of the roads to be improved.
- b. Stakeholder sensitisation meetings.
- c. Roadside community meeting or *barazas*.
- d. Impact studies after improvement of the roads.

6.4.1 Socio-economic baseline studies

The socio-economic baseline studies captured data on women's cumulative participation in the project, as labourers and their level of engagement in business enterprises alongside the respective road link to be improved.

A socio-economic baseline study conducted during implementation of Phase 1, Batch 3, noted that the project performance as regards women's employment and training of female contractors was below the 30 percent minimum quota defined by Roads 2000 (KeRRA, 2010). The baseline study

reported that this was, in part, due to project management not enforcing contractor compliance to affirmative action for women.

The baseline studies did not capture data on women's aspirations and transport needs, relative to men's.

6.4.2 Stakeholder sensitisation meetings

Both phases of the project included stakeholder sensitisation meetings. According to the midterm review of phase 2 of the project (MoTI/KeRRA, 2014), a deliberate effort was made to ensure women's participation. The report, however, does not provide information on the extent to which gender awareness was incorporated in the sensitisation meetings.

6.4.3 Roadside community meetings (*barazas*)

Both phases of the project provided space for participatory roadside community meetings, presided over by the respective local chiefs (MoTI/KeRRA, 2014). These were conducted by community facilitators trained by the project consultant's gender and community development specialist. The training module, for the facilitators, comprised of cross-cutting issues such as gender, labour laws and employment; health and safety; environment; road safety; youth concerns; HIV and AIDS; and disability. These issues formed the basis of discussions at the roadside *barazas*.

6.5 Monitoring and Evaluation

As per project performance indicators, all the labour activity reports accessed included data on women's employment, relative to men's. Likewise, the only gender related data captured during the evaluation of both phases of the project pertained to the proportion of women employed against the specified targets.

During Phase 1, a total of 2,662,662 person days were achieved, with women comprising 25 percent, which was below the minimum quota of 30 percent. The Phase 1 final project report recommended providing sanitary facilities for the workers to ensure women's full participation in the project (KeRRA, 2013). Women comprised 35 percent of the total person days of phase 2 of the project. This is attributed to the provision of mobile toilets on site and facilities to enable breast feeding mothers to attend to their children while at work.

The project evaluation teams for both phases included a sociologist.

6.6 Summary Analysis

The AFD project contributes to the implementation of Government's Roads 2000 Strategy. Phase 1 of the project was conceptualised, designed and partly implemented before gender mainstreaming in Kenya had taken root. Implementation of Phase 2 of the project started in 2011 after promulgation of the 2010 national Constitution that obliges MDAs to, amongst others, address the needs of women. During the implementation of Phase 2, the landmark Public Procurement and Asset Disposal Act of 2015 that promotes women's entrepreneurship was enacted.

However, as Table 5 illustrates, the formulation of both phases of the project were not informed by a gender analysis. Whereas there was an attempt to mainstream gender in the design, implementation, monitoring and evaluation of the project, this was largely restricted to fixing minimum quotas for women's participation as labourers, specifying outputs measuring their participation and counting the numbers of women benefitting. It was evident, from the reports reviewed, that the project did not consider the different needs of women and men as road users.

Table 5: Quality of Gender Mainstreaming along the Road Improvement Cycle

Gender mainstreaming indicators	Roads 2000/AFD	
	Phase 1	Phase 2
Identification		
A gender specialist part of the project identification team.	NO	NO
Women and men were consulted to identify their aspirations and transport needs.	NO	NO
A gender analysis was conducted establishing women's and men's unpaid and paid work	NO	NO
A gender analysis was conducted establishing women's relative to men's time use	NO	NO
A gender analysis was conducted establishing women's relative to men's poverty levels	NO	NO
A gender analysis was conducted establishing women's relative to men's educational levels	NO	NO
A gender analysis was conducted establishing distribution of resources between women and men	NO	NO
A gender analysis was conducted establishing discriminatory cultural practices that could restrict women's participation in the project.	NO	NO
Women's groups identified which could potentially be involved in the mobilisation of labour as well as in project implementation as small-scale labour-based contractors.	NO	NO
Opportunities for strengthening women's participation relative to men's identified.	NO	NO
Design		
Gender equality objectives.	NO	NO
Gender specific activities.	NO	NO
Gender specific outputs.	PARTLY	PARTLY
Gender sensitive baseline indicators defined.	PARTLY	PARTLY
Gender sensitive performance and impact indicators defined	PARTLY	PARTLY
Dedicated budget for gender mainstreaming.	PARTLY	PARTLY
Provision for gender expert on the team.	YES	YES
Provision for women's groups' participation in implementation.	NO	NO
Appraisal		
Potential barriers to women's relative to men's participation identified.	NO	NO
Potential project negative impacts on gender (i.e. increase women's work burden; result in more fragmented use of women's time; and in less time for rest and leisure for the women) identified.	NO	NO
Measures defined to mitigate against the potential negative impacts on gender equality and women's empowerment.	NO	NO
The gender dimension is explicit in the social, environmental and other impact assessments of the project.	NO	NO
Implementation		
Flexibility in work and training schedules taking into consideration women's domestic burden and relative immobility.	NO	NO
Flexibility in execution of tasks.	NO	NO
Reasonable walking distance from home to work or training sites.	YES	YES
Separate toilet facilities for female and male workers on work sites.	NO	YES
Child care facilities near the worksite with paid childminder.	NO	NO
Breastfeeding facilities	NO	YES
Maternity and paternity leave for workers.	N/A	N/A
Minimum quota for women's participation in employment and training.	PARTLY	PARTLY
Affirmative action for women workers and women's small contracting firms.	NO	NO
The collection of sex and gender disaggregated data for time poverty (or use), home-work site distance, women and men employed	PARTLY	PARTLY
Gender equality bills of quantity in contract document.	NO	NO
Bills of quantity (BOQs) include a sum for gender analysis, mainstreaming and monitoring.	NO	NO
Gender awareness creation of communities.	PARTLY	PARTLY
Gender training of implementing staff and/or a gender specialist on the team.	YES	YES
Resource-bound gender management/implementations plan.	NO	NO
Zero tolerance to sexual harassment.	NO	NO
Contractors' code of conduct includes measures to minimise sexual and gender based violence.	NO	NO
Monitoring		
Project monitoring reports on progressive achievements in gender equality and women's empowerment	NO	NO
Number of women relative to men employed disaggregated across different project components and by skilled and unskilled labour.	NO	NO
Number of women's relative to men's workdays.	YES	YES
Number of female relative to male participants of different project capacity building.	NO	NO
Number of women relative to men in leadership positions in project i.e. as gang leaders.	NO	NO
Number of women relative to men assigned tasks which challenge the status quo and do not reflect women's traditional women's roles.	NO	NO
Number of women's group/small contracting firms involved in implementation.	NO	NO
Total wages earned by women relative to men.	NO	NO
Number of qualifying mothers offered maternity leave.	NO	NO
Evaluation		
Inclusion of a gender expert on the evaluation team.	YES	YES
Evaluation reports include proportion of women relative to men employed: target and achievement.	YES	YES
Evaluation reports include proportion of total workdays undertaken by women.	YES	YES
Evaluation reports include proportion of women relative to men benefitting from different aspects of project capacity building.	NO	NO
Evaluation reports include proportion of women, relative to men, in leadership positions in the project.	NO	NO
Evaluation reports include proportion of wages earned by female and male workers.	YES	YES
Evaluation reports include extent to which infrastructure assets and services produced through the project address women's time poverty.	NO	NO
Evaluation reports include extent to which infrastructure assets and services produced through the project promote more equitable division of labour.	NO	NO
Evaluation reports include extent to which infrastructure assets and services produced through the project promote women's participation in leadership	NO	NO
Evaluation reports include extent to which infrastructure assets and services produced through the project strengthen women's relative to men's security of access to resources.	NO	NO

7 Conclusions and Recommendations

Kenya has a very progressive gender policy environment that provides a solid foundation for mainstreaming gender in the transport sector, in general, and the (rural) roads sub-sector, in particular. The cornerstone of the enabling policy environment in Kenya is the 2010 Constitution, which amongst other things, encourages the sector to address women's transport needs and guarantee their participation in the governance of the sector institutions. Vision 2030 obliges the sector to address SGBV.

The performance contracting process of MDAs obligates the sector to deliver gender equitable services. The procurement laws require the sector to stimulate female entrepreneurship in transport. The employment legislation outlaws gender-based discrimination and sexual violence in the workplace.

However, the transport sector is yet to effectively implement Government's policy directive on gender equality in the transport sector, as evidenced by the following:

1. The Policy on Aligning the Road Sub-Sector to the Constitution, 2012 is particularly weak and only makes a fleeting mention of gender.
2. The Sessional Paper of 2006 on the Development and Management of the Roads Sub-Sector and the Integrated National Transport Policy (2009) incorporates some measures to promote more gender equitable mobility. The Sessional Paper also contains a policy statement on gender mainstreaming. However, the policies neither provide for the collection of sex and gender disaggregated data for performance monitoring nor allocate dedicated resources for gender mainstreaming.
3. The regulations for operating motorcycles (2015) and public service vehicles (2014) are silent on SGBV in transport spaces.
4. The NTSA strategic plan (2016-2020) does not give due consideration to gender.
5. The Roads 2000 Strategy mainstreaming efforts are largely restricted to women's participation.
6. The Nairobi County NMT Policy (2015) is a case of good practice mainstreaming gender in policy. Its formulation is informed by a gender analysis. The Policy also includes gender sensitive indicators and provides for the collection of sex and gender disaggregated NMT data.
7. Another case of good practice is the Road Sector Investment Programme and Strategy (RSIP), 2010-2024. RISP acknowledges the gender differentiated demands for transport and the effects of socio-cultural norms and values on women's mobility. The RSIP proposes the use of innovative infrastructure delivery procedures to promote gender equitable transport and allocates a dedicated budget of KShs 2 billion annually for gender and equity mainstreaming in the roads sub-sector.

The AFD project contributes to the implementation of Government's Roads 2000 Strategy. Phase 1 of the project was conceptualised, designed and partly implemented before gender mainstreaming in Kenya had taken root. Implementation of Phase 2 of the project started in 2011 after promulgation of the 2010 national Constitution that obliges MDAs to, amongst others, address the needs of women. During the implementation of Phase 2, the landmark Public Procurement and Asset Disposal Act of 2015 that promotes women's entrepreneurship was enacted.

Whereas there was an attempt to mainstream gender in the design, implementation, monitoring and evaluation of the project, this was largely restricted to fixing minimum quotas for women's participation as labourers, specifying outputs measuring their participation and counting the numbers of women benefitting from labour based works.

Table 6: Gender Equality Balance Sheet - Transport Policy, Regulations and Strategies

Policy/Regulation/ Strategy	Informed by a gender analysis?	Gender objectives/ Policy Statement	Strategies				Sex disaggregated performance monitoring	Dedicated budget for gender mainstreaming
			Promote IMTs	Prioritise investments in foot paths and bridges	Promote women's safety and security	Gender awareness creation		
Sessional Paper, 2006	PARTLY	YES	YES	NO	NO	NO	NO	NO
Integrated National Transport Policy, 2009	PARTLY	NO	YES	YES	NO	PARTLY	NO	NO
Policy on Aligning the Road Sub-Sector to the Constitution, 2012	NO	NO	NO	NO	NO	NO	NO	NO
Nairobi County NMT Policy, 2015	PARTLY	YES	YES	YES	YES	NO	YES	NO
Operation of Motorcycles) regulations of 2015	NO	NO	N/A	N/A	PARTLY	NO	NO	NO
Operation of Public Service Vehicles regulations of 2014	NO	NO	N/A	N/A	NO	NO	NO	NO
RISP, 2010	YES	NO	YES	YES	NO	NO	NO	YES
Roads 2000 Strategy	PARTLY	NO	N/A	NO	NO	YES	PARTLY	YES
NTSA Strategic Plan (2016-2020)	NO	NO	N/A	N/A	NO	NO	NO	NO

The study confirmed that gender differences in travel patterns are mainly accounted for by the division of roles in the household and in the labour market and this results in differentiated patterns of use, access and transport needs.

The following policy recommendations are proposed for embedding gender mainstreaming within the transport sector of Kenya:

- In collaboration with the KNBS, conduct a survey to provide nationally representative evidence on:
 - the gender dimensions of travel, accessibility and mobility.
 - incidence of SGBV in transport spaces.
 - women's participation in the labour market of the infrastructure sector and transport operations, relative to men's.
- Institutionalise the routine collection of sex and disaggregated transport data to inform policy, plans, regulations and performance monitoring.

1. Gender mainstreaming in policy and planning is treated superficially and is largely restricted to women's participation.

Policy recommendation:

- Strengthen the capacities of the transport sector MDA to undertake gender analysis, planning, budgeting, monitoring and reporting in order to effectively and sustainably mainstream gender in their respective mandates.

2. Women are under-represented in road construction and transportation due to gender gaps in capabilities and opportunities as well as discriminatory social norms.

Policy recommendation:

- Capacity building for female-owned enterprises to ensure that the gender dimensions in Government's procurement law promote women's participation in the road construction and transportation sector.

3. Rural women's travel patterns are more localised. Additionally, women walk long distances carrying heavy loads without the benefit of labour or energy saving technology.

Policy recommendations:

- Formulate a rural transport policy that prioritises investment in community access roads, foot paths and footbridges.
- Formulate a gender responsive national rural NMTs policy that incorporates, amongst others, measures to address attitudes and practices that result in asymmetries in allocation of household resources and decision-making power.

4. Road improvement projects have gender differentiated impacts.

Policy Recommendations:

- Strengthen the gender and equity dimension in implementing the resettlement action plans through *inter alia* awareness creation on rights and entitlements as regards land acquisition and compensation.
- Terms of Reference and budget lines for environmental social impact assessment should allow for adequate consultations with women and men about their transport needs in order to inform the design, implementation and monitoring.
- Tender documents should include incentives to encourage contractors to employ women.
- Bills of quantity (BOQ) for road projects should include a provisional sum for gender analysis, mainstreaming and monitoring. Additionally, compliance to gender mainstreaming should be a certifiable item.
- Strengthen the gender dimension in the Technical Specifications for Roads and Bridges and tender documents to oblige the contractor to:
 - Employ a sociologist/socio-economist to provide oversight for mainstreaming gender in implementation.
 - Ensure gender sensitive community mobilisation and awareness creation involving both women and men.
 - Gender equitable recruitment of all categories of labour including non-traditional female domains such as operators and regulators.
 - Ensure that site meetings include gender issues and that both female and male workers are represented.
 - Equal payment is made to women and men for similar work and that payment of wages is made to the workers and not to their representatives.
 - Institute flexible working hours to the extent possible to take account of women's multiple roles.
 - Provide separate toilet and accommodation facilities for women and men as well as sanitary facilities and sheds for children of working mothers.
 - Develop and implement a code of conduct clearly outlining unacceptable behaviour and consequences for SGBV.
 - Submit monthly labour activity reports disaggregated by sex, age, type of work and earnings.
 - Incorporate gender in monitoring and report on the extent to which this is addressed in recruitment, promotion, payment, provision of facilities, on-the-job training, SGBV, maternity and paternity, etc.

Women have varying security concerns from men and tend to travel with children, the sick and elderly.

Policy recommendation

- Promote safe transport services for both women and men through mainstreaming gender in traffic and safety regulations and ensuring enforcement.

- The statutory code of conduct for operators should explicitly include SGBV and mechanisms to report assaults.
- Regulations of public service vehicles should provide for reserved seating facilities for pregnant women or women travelling with children, the sick and the elderly.

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Glossary of Key Terms

Sex and Gender

Sex is the biological difference between women and men. Sex differences are universal: they are the same throughout the human race and involve women's as well as men's bodies. The term gender refers to the economic, social, political and cultural attributes and opportunities associated with being male and female. Gender is determined by the conception of tasks, functions and roles attributed to women and men in society and in public and private life. In most contexts, women and men differ in the activities they undertake, in access to and control over resources, and in participation in decision-making. These differences limit the ability of women to develop and exercise their full capabilities and therefore, their full participation in and benefit from investments in the transport sector.

Time Poverty

Time poverty refers to working long hours with insufficient time for rest and leisure. Women are more time poor relative to men due to their work in the household which includes fetching water, collecting fuelwood, cooking, cleaning and taking care of the young, the sick and the old. As such they are relatively immobile compared to men and their labour is not easily transferrable to infrastructure improvement projects especially if it involves travelling long distances from home. For equitable benefits for women and men, training and work sites should be a reasonable distance from the communities and transportation projects should offer child care facilities as well as flexibility in the execution of the work.

Gender Analysis

A systematic way of examining the attribution and organisation of roles, responsibilities, resources and values attached to women and men in order to assess the differences and inequalities between them and to map out their specific interests, opportunities, constraints and needs in relation to transport.

Gender Equality

Equal enjoyment by women and men of transport infrastructure, services and employment and other opportunities in the sector. For example, equal pay for equal work, equal numbers of male and female workers, equal representation of men and women in staffing, equal allocation of budget and other resources to respond to women's relative to men's needs.

Gender Equity

Appropriate and fair allocation of human, physical, social, financial and other resources in the transport sector to address the specific needs and aspirations of women and men. For instance, considering that women are less educated and less skilled than men, the transport sector should provide capacity building for women to ensure equitable participation in, and benefit from employment opportunities accruing from investments in infrastructure.

Gender Mainstreaming

Mainstreaming gender is a strategy to achieve gender equality. It means recognising that women and men often have different needs and priorities, face different constraints, and have different aspirations. It requires technical staff to incorporate a gender equality perspective in the way they work as well as in all stages of the transport policy, planning, budgeting and infrastructure improvement cycles. Considering that women are the majority disadvantaged, gender mainstreaming includes specific actions to empower women and bring them at par with men.

Affirmative Action

An active measure taken to redress perceived disadvantages due to overt, institutional, historical or involuntary discrimination to ensure equal opportunity between women and men. This could involve defining minimum quotas for women's, PWD's and other disadvantaged groups' participation in employment, training programmes, and contracting.

Gender Blind

A conscious or unconscious way of doing or saying things without recognizing or considering differences in women's relative to men's position, needs and feelings.

Gender Sensitive

The ability to recognise the differences between women's and men's perceptions, aspirations and needs as regards transport policy, planning, budgeting and infrastructure improvement.

Gender Aware

The ability to identify gender issues arising from stereotyping, discrimination and inequalities.

Gender Responsive

Planning and implementing transport policies, plans, budgets and projects that address women's as well as men's mobility and accessibility needs and which take into account differences in [women's and men's] labour allocation, time use, educational levels, resource and skill base.

Inclusive Language

The use of language which is not derogatory and discriminatory that promotes exclusivity or a sense of hierarchy which places one group of people, usually women, below others thus creating or perpetuating negative social stereotypes. Examples of inclusive language would be the use of "*works in progress*" instead of "men at work"; "*forepersons*" instead of "foremen"; "*human resources*" instead of "manpower"; "*chairperson*" instead of "chairman".

Sexual and Gender Based Violence [SGBV]

The different types of violence that are either sexual by nature or based on one's gender identity or expression. Includes physical, sexual, emotional and psychological dimensions. An underlying cause of SGBV is unequal power relations i.e. male dominance over women and girls as well as women's limited decision-making power.

Sex and Gender Disaggregated Data [SDD/GDD]

Information collected that indicates the different roles and responsibilities of men and women and the way opportunities and benefits from works and transport sector are distributed between the two sexes. SDD and GDD facilitate equitable targeting and planning projects which respond to women and men's needs. Further, such data helps in developing gender sensitive monitoring and evaluation indicators.

Adapted from: Tanzarn Nite and Maria Teresa Gutierrez Illustrated Guidelines for Gender Responsive Employment Intensive Investment Programmes [EIIPs]. Geneva, International Labour Office, ILO 2015. Available at:

http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_policy/---invest/documents/publication/wcms_459976.pdf