

# Gender Audit of Kenya's Climate Change Governance: A draft Report

*By:*

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*During Stakeholder inputting and validation workshop at Silver Springs Hotel, Nairobi*

# THE ASSIGNMENT

- 1. Analyse key institutions working towards gender mainstreaming in climate change***
2. Analyze the overall levels of gender awareness
3. Assess the existing capacity and resources devoted for mainstreaming gender in climate change
4. Identify good practices, successes and challenges faced by the specific institutions
5. Identify opportunities to enhance mainstreaming of gender within the institutions
6. Recommend practical ways for increased gender-responsiveness in addressing climate change

# Introduction and background

- Climate change is globally recognized as the major economic, environmental and social challenge.
- Kenya is hardest hit by and continues to experience the negative effects brought by changing climate
- Poor and/or gender-insensitive governance in many developing nations has contributed to inequalities, worsening situations of already vulnerable groups such as women in the context of climate change
- Effective and gender-responsive climate change governance is not an option but a must in enhancing community resilience and sustainable low-carbon development

# THE METHODOLOGY

- A thorough desk review of
  - Developmental blue print and programmes and the listed policies/laws
  - Relevant international, regional and national-level policies, legislations and practices
    - UNFCCC, Hyogo framework for Action, MDGs, IPCC reports
    - EAC Climate Change Policy and strategy; EAC Environment and Natural Resource management protocol
    - Constitution of Kenya 2010; Vision 2030; National Policy on Gender and Development; NCCRS (2010) and NCCAP, 2013-2017; Water Act, EMCA, Energy Policy, Agriculture Policy, ASDS, 2010;
- Primary data collected thro;
  - Face-to-face interviews using structured questionnaire
  - Meetings
  - Stakeholder validation/inputting workshop
  - Gender analytical tools included quick scan, Gender Goal Identifying Tool and the Indicators for Gender Goals Tools

# KEY FINDINGS OF AUDIT

## ***A. Policy, Legal and institutional frameworks for climate change in Kenya***

- There are many policies and legislations with a bearing on climate change including: UNFCCC, Hyogo framework for action, MDGs, NCCRS, the Constitution, National Land Policy (2009), Vision 2030, Water policy, agriculture policy, Forest Policy, that provide enabling environment for climate change programming and planning
- Most of these (National policies) are gender neutral and are currently being reviewed for purposes of constitutionality and/or updating (table 1)

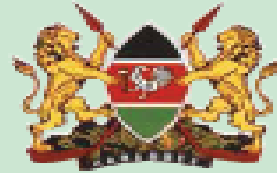
Policy/Legislative framework and plans	Gender Dimension	Remarks
UNFCCC	Gender responsive	-Provision on gender-balance decision on representation on climate change meetings -Adaptation Fund and gender criterion
IPCC Technical Reports	Gender responsive	-Continued to stress the link between climate change (and vulnerability) and gender
Hyogo Framework for Action	Gender responsive	-Requires a gender perspective in DRR for policies, plans and decision-making -requires mainstreaming of vulnerable groups in DRR
MDGs	Gender responsive	MDG 3- women empowerment and equality is expected to reduce their over-dependence on climate sensitive natural resources (products) for energy needs etc
East Africa Community Policy and strategy on Climate change	Gender Responsive	-takes cognizance of vulnerability of esp women to climate change impacts in EA
Constitution of Kenya 2010	Gender responsive	-Entrenched gender equality principle including one-third gender rule; -proposed affirmative action as a mechanism to address imbalance and inequalities ; -established Equalization fund to bridge gaps/minimize disparities between counties;-Elevated right to a clean and healthy environment to a fundamental freedom in Bill of Rights; -Committed to international gender-related conventions and obligations under article 2 (6)
Kenya Vision 2030	Gender neutral	-Anchored on a just and equitable society with a clean and healthy environment for all -failed to tease out gender-specific benefits and involvement in the flagship projects
National Climate Change Response Strategy (NCCRS) 2010	Gender neutral	-silent on gender specific provisions for adaptation, capacity building, mitigation and financing
National Climate Change Action Plan (NCCAP), 2013-2017	Gender responsive	-Enumerated gendered benefits accruing from implementation of specific interventions eg modern energy solutions,
National Policy on Gender and Development	Gender responsive	-the national vehicle for ensuring gender mainstreaming and integration into planning and development
Forest Policy, 2007	Gender -aware	-observe one-third gender rule in CFA and other forest management structures eg board <i>“that no more than two-thirds of the members are of the same gender”</i>
Agriculture Policy	Gender responsive	-recognizes women’s critical in labour provision in this sector and promote their involvement
Agriculture Sector Development Strategy (ASDS) 20p10-2020	Gender-neutral	-does not specify gender specific actions nor related benefits from implementation of the strategy
Energy Policy 2004	Gender-neutral	-no specific mention of what will be done to eliminate gender disparities with respect to each policy measure

# Key Findings: Policy ,Legal and institutional frameworks

- There is no-stand-alone policy on climate change that can provide a framework for governance, coordination and financing of climate change at all levels despite significant threats of climate change to the country's social, economic and ecological spheres
- Many institutions (governmental and NGOs ; **table 2**) are paying attention to climate change though the efforts are rather uncoordinated; poor understanding of /unclear roles somewhat competing and conflicting (eg ministry of envt and ministry of finance-development of carbon finance and emission trading policy, 2012??).
- There are also several committees/working groups and fora on climate change with minimal attention paid to the aspects of gender

Ministry/Government Agency	Main role/action in climate change
Ministry of Environment and Mineral Resources	Responsible for the coordination of climate change response in the country. The National Climate Change Secretariat (NCCS) is a department of the Ministry and spearheads the development and implementation of climate change policies, strategies and action plans
Ministry of Planning and National Development	The primary ministry with responsibility for national development planning and associated monitoring and evaluation in Kenya. It is leading the process to mainstream climate change into the national plans including the 5 year mid-term plans under Vision2030.
Ministry of Finance	Charged with the responsibility of formulating financial and economic policies as well as the management of revenues, expenditures and borrowing by the Government.
Ministry of Energy	Mandated to facilitate provision of clean, sustainable, affordable and secure energy for national development while protecting the environment.
Ministry of Agriculture	Mandated to promote and facilitate production of food and agricultural raw materials for food security and incomes; advance agro-based industries, and agricultural exports; and enhance sustainable use of land resources as the basis for agricultural enterprises. Due to the sensitivity of agriculture to climate change, the Ministry has established a climate change unit that coordinates climate related issues across the agriculture sector
Ministry of State for Development of Northern Kenya and Other Arid Lands(MSDNKOAL)	Provides policy direction and leadership in planning, implementation and coordination of development of Northern Kenya and other Arid lands which account for 80% of the country and are highly vulnerable to climate change
Ministry of Water and Irrigation	Facilitates sustainable management and development of water resources for national development.
National Economic and Social Council (NESC)	Is Kenya’s top advisory body to the Government on policies required to accelerate social and economic development of the country
Climate Change Unit at the Office of the Prime Minister(OPM)	Provides technical support for the OPM, also participates in the preparation and implementation of national climate change policies, strategies and action plans.
National Environment Council (NEC)	Responsible for policy formulation And is the highest environmental policy organ
National Drought Management Authority (NDMA)	The core mandate of the NDMA is to exercise general supervision and coordination over all matters relating to drought management in Kenya, and to be the principal instrument of Government in ensuring the delivery of all the policies and strategies that relate to drought management and climate change adaptation
Climate Change Units/Desk Offices	To coordinate and respond to institutional based climate change issues





**Government of Kenya**

# **National Climate Change Response Strategy**

**April 2010**

# Conclusions

- Governance is about policies and laws, systems and structures (formal and informal), institutions among others. Good governance is about effective and responsive policies and laws, transparent systems and structures and well-coordinated institutional frameworks responding to the diverse and unique needs and concerns of a nation's population, both men and women
- Climate change governance in Kenya is not yet clear and still anchored on outdated, numerous-often-conflicting-gender-insensitive policies , laws and institutions with resultant uncoordinated and ad hoc responses.

# Recommendations

- Policy responses must engender commitments to climate change adaptation, mitigation and /or mainstreaming
- Developing a gender-responsive Climate change Policy to ensure coordination of sectoral laws on climate change is imperative
- Strive to conduct individual-institutional-based gender audit for climate change programmes and governance
- Fast-track the revitalization of the Kenya Climate Change Bill 2012 to harmonize laws and provide a clear governance framework for climate change in Kenya.

**THANKS!**