



East African Community



# East African Community Gender Policy

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## ACRONYMS/ABBREVIATIONS

ACHPR	African Charter on Human and People's Rights
ACRWC	African Charter on the Rights and Welfare of the Child
AfDB	African Development Bank
AIDS	Acquired Immuno Deficiency Syndrome
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBOs	Community Based Organizations
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CM	Council of Ministers
COMESA	Common Market for Eastern and Southern Africa
CRC	Convention on the Rights of the Child
CRPD	Convention on the rights of Persons with Disabilities
CSOs	Civil Society Organizations
DEVAW	Declaration on the Elimination of Violence Against Women
DHS	Demographic Health Survey
EAC	East African Community
EAGCDF	East African Gender and Community Development Framework
GBV	Gender Based Violence
GEM	Girls Education Movement
GGGR	Global Gender Gap Report
GMS	Gender Management System
HIV	Human Immune Virus
ICT	Information Communication Technology

NEPAD	New Partnerships for African Development
NGM	National Gender Machineries
NGOs	Non- Governmental Organizations
MDR-TB PHC	Multi drug related Tuberculosis Primary Health Care
PMTCT	Prevention of Maternal To Child Transmission
PSOs	Private Sector Organizations
RECs	Regional Economic Communities
SADC	Southern African Development Community
SDGs	Sustainable Development Goals
SRH	Sexual Reproductive Health
STIs	Sexually Transmitted Infections
VAW	Violence against Women
UDHR	United Nations Declaration on Human Rights
UNSCR	United Nations Social Security Resolution

## **ACKNOWLEDGEMENTS**

The EAC Gender Policy is a result of several decisions and directives of the Council of Ministers and the Sectoral Council on Gender geared to the harmonisation of efforts by Partner States in mainstreaming Gender in all EAC policies and programmes and promoting the empowerment of women and men, boys and girls in the region. In 2012, the EAC Secretariat with support from the Society for International Development (SID) and the Eastern African Sub-Regional Support Initiative for the Advancement of Women (EASSI) commenced the process of developing the Policy. In this regard appreciate the efforts of EASSI and SID for the initial technical support in the formulation of the draft EAC Gender Policy.

The development of this policy has navigated various stages both at regional; and national levels. This includes the literature review and data collection involved in drafting a comprehensive situational analysis on Gender in the EAC; the formulation of the draft document, consultations, experts' meetings, consideration and validation of the final draft. Numerous parties and individuals including Gender focused Civil Society Organisations, Gender Experts from the Eac Partner States, Consultants and other stakeholders of the respective Partner States have participated and their invaluable contribution is enormously appreciated. We further wish to acknowledge the support received from the development partners most especially GIZ who provided financial and technical support that enabled the facilitation of the discussions and conclusive processes of the formulation of the policy.

The process also involved the hierarchical decision-making structures of the East African Community. A session of Senior Officials followed by a session of Permanent Secretaries and the Sectoral council on Gender, Youth Children, Social Protection and Community Development were involved in sanctioning the policy. We therefore wish to acknowledge the contribution of the Senior Officials representing the Partner States namely; Burundi, Rwanda, Uganda, South Sudan, United Republic of Tanzania and Kenya. We also wish to acknowledge the swift consideration of the EAC Gender Policy by the Permanent Secretaries of the Partner States. The Gender Policy would not be complete without the decision-making power of the Sectoral Council therefore we finally acknowledge the timely approval of the Policy by the EAC Council of Ministers.

## **FOREWORD**

The promotion of gender equality and the empowerment of women is central to the mandate of The EAC and intrinsic to its development approach. This includes advocating for women's and girls' equal rights, combatting discriminatory practices and challenging the roles and stereotypes that affect inequalities and exclusion. The policy champions homegrown solutions to the regions gender and affirmative action development challenges. This framework therefore serves as a tool for results oriented measures for Gender Equality and Women's Empowerment

Armed with this Gender Policy the EAC is well placed to ensure that gender equality and the empowerment of women are integrated into every aspect of its work to eradicate poverty and reduce inequalities and exclusion. In particular, the policy provides a strong situation analysis and outlines key priority areas in the region both at the Partner State and at the secretariat. It also provides mechanisms that provide a platform for accountability.

The policy takes cognizance of the fact that Partner states have their own national Gender policies and other legal frameworks to enhance gender equality and affirmative action at the national level. Thus harmonization, standardization tracking and reporting are the key driving factors in the EAC Gender policy.

The EAC recognizes that achieving progress on gender equality and women's empowerment requires working collaboratively with Partner States' governments, the private sector, the civil society, religious institutions, development partners, and other actors. It is for this reason that this policy is a result of several consultative forums all key stakeholders.

Amb. Liberat Mfumukeko  
Secretary General -East African Community

## **1. 0 INTRODUCTION AND BACKGROUND**

### **1.1 Introduction**

Globally, respect for human rights, inclusivity and empowerment are fundamental principles of humanity. The quest for Gender Equality and Women Empowerment is critical for social, cultural and economic development processes. Harnessing the power of women and men, boys and girls is central to maximizing equity and critically important in achieving sustainable development.

Women in the EAC constitute a significant demographic, forming more than 50% of the population and therefore their role in boosting social and economic development of the region cannot be overemphasized. Gender disparities in the region continue to be evident in a number of areas, including resource distribution; varying levels of economic empowerment and involvement; participation in decision-making and in political representation; access to education and training opportunities; access to adequate and quality health services; high unemployment rates of women in the formal sector as compared to men; rampant sexual and gender-based violence; harmful cultural practices; and inadequate budgetary allocation for gender-specific needs; among other notable disparities.

Thus, a gendered perspective on human rights generally, and on equality and non-discrimination calls for a deliberate policy at the regional level that can provide an overarching framework on gender equality, equity and Affirmative Action.

This Policy provides a framework, intended to accelerate the realization of gender equality, fairness between men and women, non-discrimination and fundamental rights in East Africa. The Policy framework is a tool to facilitate the advancement of East Africa's political and social economic integration, guarantee that gender issues are included in the East African Community agenda, accelerate gender mainstreaming, contribute to higher living standards and enhance the efforts exerted by the East African people to play their rightful role in a globalising world.

The EAC Gender Policy is by the international, regional and national legal frameworks and will among others provide guidance on focused formulation and integration of gender issues in programming within the region. In addition, the policy provides a mechanism of reporting on international and regional commitments by the EAC Partner States as a Regional Economic Community (REC).

It also takes into account the fact that policy implementation requires all stakeholders working together and therefore brings together the different players, decision-makers, development partners, private sector, civil society and the East African citizenry.

This being the first EAC Gender policy has stipulated a number of Development Objectives to be pursued over its respective Plan period. Secondly, is also significantly informed by key current and emerging regional development issues and priorities, as well as the EAC Vision 2050 imperatives, especially given that this is the "pioneer" Gender policy under the EAC Vision 2050.

To ensure "ownership", "commitment" and "leadership" with regard to the Gender Policy the closely related optimum support by its various stakeholders, a participatory, consultative and interactive approach was employed throughout the process of the Policy formulation and



development at all levels, including all the EAC Organs and Partner States.

## 1.2 Background

The EAC Gender Policy is anchored in Article 6(d) of the Treaty for the Establishment of the East African Community where Partner States committed to adhere to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as recognition, promotion and protection of human and people's rights.

The development of the EAC Gender Policy has been developed in compliance with the directive of the 25<sup>th</sup> Meeting of the Council of Ministers (EAC/CM25/Dir25) of August 2012 where the Council directed the Secretariat to develop an EAC Policy on Gender Equality, Youth, Children, Social Protection and Community Development.

In 2012 the First Meeting of the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development while discussing the Strategic Plan, observed that procedurally, the strategic plan should have operationalized an existing policy in the sector. Against this backdrop First Meeting of the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development in 2012, directed the Secretariat to develop among others, a comprehensive Gender policy framework to harmonise the implementation of the gender priorities in the region.

In July 2013, the Second Meeting of the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development directed the Secretariat to undertake a situation analysis to inform the development of an EAC Gender Policy. The comprehensive Gender analysis report was approved in March 2016 with a subsequent directive to the Secretariat to fast track the development of the gender policy by August 2016. It is against this backdrop that the EAC Gender Policy was developed.

## 1.3 Legal and Policy Framework

The Treaty for the Establishment of the East African Community provides the overall legal framework for the EAC Gender Policy. The Treaty recognizes the importance of Gender Equality as well as enhancing of the role of women in socio-economic development and women in business towards achieving the Community's broad objectives. Gender is listed as one of the essential principles alongside Good Governance, the Rule of Law, Accountability, Transparency, Social Justice, Equal Opportunities, Recognition, Promotion and Protection of Human and People's Rights that govern the achievements of the Community's overall objectives.

Articles 5,3 (e); 6 (d); 121 and 122 of the Treaty emphasize gender mainstreaming and respect for women's rights as one of the fundamental principles that will govern the EAC integration process.

Gender is a priority sector in the 5<sup>th</sup> EAC Development Strategy (2016/17 – 2020/21). The Strategy under the objective **“Enhancement of Community Empowerment”** provides for mainstreaming of gender into all strategic interventions of the Community, Promotion of women in socio-economic development, in Business and Promoting the participation of the Citizenry (women, men, youth, civil society Organizations (CSOs) and the Private Sector Organizations (PSOs). In addition, the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development is a decision-making organ of the Community. The Sectoral Council is responsible for all policy matters relating to gender, youth, children, social protection, persons with disabilities and community

development. The Sectoral Council has spearheaded the discussions on the development of the EAC Gender Policy.

Through the previous 4<sup>th</sup> Development Strategy and the current 5<sup>th</sup> Development Strategy, the Community has referenced various global, regional and national commitments and made efforts to promote Gender Mainstreaming at Regional and National level while designing, implementing, monitoring and evaluating and reporting programmes and projects. The development of a regional policy therefore provides the opportunity to increase gender sensitivity in programming and budgeting, thus contributing to achieving the aspirations of the EAC development objectives.

Further to the development and implementation of the development strategies, other relevant policy frameworks that augment the gender mainstreaming efforts include the EAC Social Development framework (2013), the EAC Youth Policy (2013), EAC Policy on Persons with Disabilities (2012), and the EAC Child Policy (2016). Various Gender Mainstreaming tools have also been developed such as: Guidelines and Checklists for Gender Mainstreaming in EAC Organs and Institutions, (2013); a Gender Mainstreaming Strategy for EAC Organs and Institutions, (2013) and an EAC Gender Mainstreaming Handbook, (2016); a participatory Gender Audit for EAC Organs and Institutions was carried out in 2012 and is carried out after every five years; in terms of monitoring and evaluation, the EAC Framework for Gender and Social Development Outcome Indicators was developed for the 4<sup>th</sup> EAC Development Strategy (2011-2016) and will be updated to measure progress in gender sensitive implementation of the 5<sup>th</sup> development Strategy and EAC Vision 2050.

These various tools and frameworks developed at regional level and utilised at national level, need a regional Policy to come up with a common understanding of how to implement gender concerns at national and regional level.

The above policy framework compliments strong legal commitments made by Partner States at national, regional and global levels. This Policy therefore aligns itself to the obligations on Gender Equality that the EAC Partner States are party to at the various levels. The Global level instruments include: Universal Declaration of Human Rights (UDHR 1948), Convention on Political Rights of Women (1952), International Covenant on Civil and Political Rights (1966), International Covenant on Economic, Social and Cultural Rights (1966). The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979) and its Optional Protocol (adopted October 1999 entered into force December 2000), Declaration on the Elimination of Violence Against Women (DEVAW 1993), The Beijing Platform for Action (1995). The United Nations Resolution 1325 on Women, Peace and Security and the six follow up resolutions- Resolution 1820 (2008), Resolution 1888 (2009), Resolution 1889 (2009), and Resolution 1960 (2010); Resolution 2122 (2013) and Resolution 2106 (2013). Further, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) 1984, Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949); Convention on the Rights of the Child (CRC, 1989); Discrimination (Employment and Occupation Convention) 1958 among others.

The Regional instruments include African Charter on Human and Peoples' Rights (ACHPR,1983); The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol 2003). Included also is the Solemn Declaration on Gender Equality (2004), The Nairobi Forward Looking Strategies (1985); The New Partnership for African Development (NEPAD), SADC Declaration on Gender and Development, The SADC Protocol on Gender and Development (2008), the COMESA Treaty among others. In 2017, the East Africa

Legislative Assembly passed the EAC Gender Equality, Equity and Development which will to advance gender equality in the Partner States in the economic, political, social and cultural aspects.

At national level, the Constitutions of the respective Partner States guarantee one-third majority for women in elective positions and this has considerably increased the number of women legislators in elective positions across the region. Affirmative Action in politics has considerably increased female representation in parliament by 63.8% in Rwandan Lower House and senate or upper house at 38.5%. In Burundi by 36.4% in the lower house and 41.9% in the senate, In Uganda by 35% while in the United Republic of Tanzania, women are at 36%. Kenya is at the lowest with 27.8%.

The Partner States have institutionalised Gender Equality with each having autonomous Ministries responsible for Gender with their respective policies, strategies, action plans and gender focal persons to promote, coordinate, implement, and monitor gender equality and equity. The Visions of the respective countries Vision 2030 of Kenya, Vision 2040 of Uganda, The United Republic of Tanzania Vision 2025, Vision 2020 of Rwanda, Burundi vision 2025, and Vision 2040 of South Sudan and other key development strategies, Poverty Reduction Strategies and National Development Plans have deeply entrenched Gender Equality and Equity. Gender Mainstreaming, Gender responsive reporting and accountability are very pertinent on the agenda of the EAC Partner States.

Other Key institutions that promote Gender Equality and the empowerment of women in the respective Partner States include the National Women Councils (Rwanda and Uganda), National Gender and Equality Commission (Kenya) and the Equal Opportunities Commission (Uganda), Women parliamentary groups or forum for the case of Kenya, Rwanda and Uganda and the Gender Sector working groups and monitoring office for the case of Burundi and Rwanda respectively.

It is therefore clear that if the above commitments are implemented, EAC Partner States are on right track to achieve Sustainable Development Goal 5 on achieving gender equality and empowerment all women and girls and other related Goals by 2030. This vision may however, be hampered by the existent differentiations by gender when it comes to rights, access, control, voice and participation the socio- economic, political sphere in the region by men and women. The EAC Gender Policy therefore hopes to harmonise the efforts by Partner States in the promotion of Gender Equality, Equity and Sustainable Development.

## **2.0 SITUATION ANALYSIS**

### **2.1 Governance and Participation**

The Treaty establishing the East African Community in Article 121 provides for women's participation in governance including appropriate affirmative action at all levels. The Constitutions of EAC Partner States also provide for inclusive representation of women and men, boys and girls at all levels of governance. They further advocate for representation of at least one third gender at all levels of government. Rwanda leads in women representation with 64.0% in the national Parliament, 37.5% in Cabinet and 45% in Public Service.

**Table 2.1.1 Percentage of Women and Men in Top Decision-Making Positions**

Country	Parliament (%)		Cabinet (%)		Parastatal Leadership (%)		Public Service (%)		Judiciary (Judges) %	
	F	M	F	M	F	M	F	M	F	M
Uganda	32.0	68.0	42.6	57.4	DNA	DNA	20.7	79.3	30.0	70.0
Kenya	27.8	72.2	28.6	71.4	18.0	82.0	36.6	63.4	35.0	65.0
Tanzania	36.8	63.2	21.7	78.3	30.0	70.0	39.1	60.9	41.0	59.0
Rwanda	64.0	36.0	46.7	53.3	37.2	62.8	45.0	55.0	43.6	56.4
Burundi	37.1	62.9	50.0	50.0	13.6	86.3	15.9	84.1	DNA	DNA
South Sudan	29.0	71.0	22.0	78.0	DNA	DNA	DNA	DNA	10.0	90.0

Source: Data from National Gender Machineries and Bureau of Statistics from Partner States

In spite of the progress made in promoting women’s participation in governance, gaps still remain in women’s representation at different levels of leadership and governance as reflected in the table. This situation is replicated at lower levels of the governance structures as well as within the organs and institutions of the EAC.

## 2.2 Education and Training

The EAC Vision 2050 recognizes that investing in women’s education, health and economic participation is fundamental for breaking the inter-generational cycle of poverty – hence necessitating support to comprehensive programmes to empower women.

Partner states have positioned women and men, boys and girls to have equal access to economic opportunities. This calls for sustained investment in relevant technical and life skills development, higher education, science, technology, research and innovation, and the reduction of gender disparities at all levels of education. It will further require skills development that is consistent with the emerging development opportunities in infrastructural development; industrialization and manufacturing; value addition in agriculture industry; sustained management of natural resources hinging on value chain and beneficiation, and management of human capital development.

Gender Mainstreaming and empowerment of women over the years has yielded commendable results. Key among these include: the increase in enrolment and retention of the girl child at both primary and secondary school levels. In Burundi, enrolment of girls at primary school level increased from 91.5% in 2010 to 95.5% in 2016; in Kenya, it increased from 84.6% to 88%; and in Uganda, it increased from 91.4% to 95.3% over the same years. However, in Rwanda and Tanzania, there was a slight reduction from 97.4% in 2010 to 96.1 in 2016; and from 89.5% to 80.7% respectively, over the same period. In secondary education, enrolment of girls in Burundi increased from 41.9% in 2010 to 48.4% in 2016; in Rwanda, it increased from 50.7% to 52.2%; in Tanzania, it increased from 44.8% to 47.8%; and in Uganda, there was, as well, an increase from 44.9% to 47.4% over the same period.

Despite the progress as indicated above, gaps still exist in transition, retention and completion in secondary and tertiary institutions. The student – teacher ratios remain low among Partner States which undermines the quality of education and learning outcomes. The retention and completion rates are very low mainly due to poor learning environments, teenage pregnancy and early marriage, sexual reproductive health challenges as well as the participation of the girl child in unpaid care work at household level. In addition, there is mismatch between education and training institutions, programmes and the labour market requirements.

### 2.3 Health, Life expectancy, Maternal and Child Mortality

The region has invested heavily in the provision of health care services; however, the EAC expenditure on health as a percent of GDP remains low – with all the Partner States spending, on average, between 1 and 1.5 percent, of their total budget on health except Burundi spending approximately 4 percent (EAC Development Strategy 2016/17 – 2020/21).

At regional level, life expectancy remains low ranging from 42-65 years, below the global average of 71.4 (WHO Report,2015). The maternal mortality is at an average of 414 per 100,000 births compared to the world average of 216 per 100,000 live births in 2015 (WHO and UNCEF 2016). The infant mortality rates remain high at a regional average of 70.8 per 1,000 with the highest at 150 in the Republic of South Sudan and the lowest in Rwanda at 32; the regional Child mortality average is at 101.5 per 1000 with the highest at 250 in South Sudan and the lowest at 21 in the United Republic of Tanzania (EAC Facts and Figures 2015). According to the EAC Vision 2050, it is projected that Child mortality will be reduced to 36 per 1,000 by 2050.

A Status Report on maternal, Newborn and Child health by the African Union (2012) reported that fewer than 3 out of 10 married women (27.4 percent) in the EAC region use modern contraceptives, (African Union 2012).

**Table2.3.1 Reproductive Health Care in EAC Partner States**

Reproductive Health (RH) Care	Partner State					
	Kenya	Uganda	United Republic of Tanzania	Rwanda	Burundi	South Sudan
Infant and child mortality rates per 1000 live births	41	43	51	32	112	68.9
Percentage of births attended by skilled health personnel	61	58	64	91	37.4	19.4%
Contraceptive prevalence rate	53	27.3	38.4	53	Data not available	4.7%
% Contraceptive use among sexually active women 20-24	53.1	38	54.1	47.4	Data not available	Data not available
% Contraceptive use among married women	53	30	38	48	34.3	Data not available
Maternal mortality rate (Per 100,000 live births)	362	360	432	210	712	2,054

Sources: Partner States Bureau of statistics and Economic Surveys 2015-2017

## 2.4 Gender, HIV and AIDS

HIV/AIDS prevalence rate remains high in the EAC at 4.1% with the lowest at 1% in Zanzibar (United Republic of Tanzania) and Burundi and the highest in Uganda at 6.2 %. The prevalence rates are higher among women and girls as indicated in Table 2.4.1

**Table 2.4.1 HIV Prevalence Rate EAC Partner States by Sex**

Partner State	Male	Female
	%	%
Kenya	4.2	6.9
Uganda	6.1	8.3
United Republic of Tanzania	3.8	6.2
Rwanda	2.2	3.6
Burundi	1.0	1.7
South Sudan	1.0	1.6

Source: National Demographic Health Surveys and National Bureau of statistics 2010- 2017

All the six Partner States have made progress on access to PMTCT services by HIV positive pregnant women (Table 2.4.2) as well as general access to ARV treatment (Table 2.4.3).

**Table 2.4.2 Percentage access to ARVs**

Partner State	Percent accessing to ARVs			% Total
	15 years and above		Children 0-14	
	Male	Female		
Kenya	59.0	79.0	77.0	72
Uganda	60.0	85.0	55.0	72
United Republic of Tanzania	40.0	62.0	55.0	74
Rwanda	82	95	75.0	91
Burundi	67	84	33	82
South Sudan	10.0	18.0	7.0	10.0

Source: UNAIDS Country Fact Sheets 2017

**Table 2.4.3 Percent Coverage of pregnant women who receive ARV for PMTCT**

Partner State	Percent pregnant women Receiving ARVs
Kenya	80.0
Uganda	95.0
United Republic of Tanzania	84.0
Rwanda	82.0
Burundi	84.0
South Sudan	29.0

The Global targets for HIV/AIDs are zero new infections, zero HIV/AIDS related deaths and zero stigma however the region is far from achieving these targets based on the available statistics. Stigma and violence remain a challenge to tackling HIV and AIDS

## **2.5 Trade, Business and Economic Empowerment**

Women in the EAC are highly entrepreneurial and economically active but they have less access than men to productive resources and opportunities. In Kenya, despite owning 48% of micro and small enterprises, women access only 7% of credit. In Tanzania the proportion of women owned enterprises (WOEs) increased from 35 per cent in early 1990s (NISS, 1991) to 54.3 per cent in 2012 (MIT, 2012). In Uganda, women own 38% of all registered enterprises but access only 9% of formal finance. Out of 3,000 registered enterprises in Burundi, women own 320 enterprises (10.6%) and 74% are involved in cross border trade in the informal sector.

In Tanzania the proportion of women owned enterprises (WOEs) is reported to have increased from 35 per cent in early 1990s (NISS, 1991) to 54.3 per cent in 2012 (MIT, 2012). In Uganda, women own 38% of all registered enterprises but access only 9% of formal finance. In Kenya, despite owning 48% of micro and small enterprises, women access only 7% of credit. Studies show that women entrepreneurs have identified access to finance as the single biggest constraint on expanding their businesses. A report titled Social Institutions and Gender index reported that in Rwanda, 28.2% of women had accounts at formal financial institutions, compared with 37.5% of men, although roughly equal percentages of women (8%) and men (8.9%) received a loan from a financial institution in 2011, women made up only 32.74% of microfinance borrowers in Rwanda in 2012, down from 53% in 2011.

In the case of access to Finance, women lag behind men in holding accounts at formal financial institutions. Overall, only 21.5% of women in Sub-Saharan Africa held accounts at formal financial institutions, compared to 6.5% of men in the region. The percentage of Sub-Saharan Africans taking a loan from a formal financial institution was only 5.2% for men and 4.3% for women, with loans coming primarily from “family or friends”: 48.3% for men and 45.3% for women, in terms of mobile money transactions in Sub-Saharan Africa, receiving money is the most often cited use, with 15.5% of men receiving funds via mobile phones as compared to 13.6% of women (EAC Policy Brief, Making Finance Work for Africa, 2011).

Some interventions targeting women in entrepreneurship and trade at national level include; the Women Enterprise Fund, The UWEZO (Ability) Fund 2014, Youth Enterprise Development Fund (YEDF) 2006 and the 30% affirmative action policy for women, youth and persons with disabilities in public procurement in Kenya, The Tanzania Women’s Bank (TWB), The Youth Capital Venture Fund, the Youth Livelihood Programme and the and the Women Entrepreneurship Programme (UWEP) in Uganda, promotion of the Microfinance enterprises, Rural micro-credit fund and TWITEZIMBERE project, establishment of two micro-finance institutions started by women’s organizations (CCEM and WISE) in Burundi, However the implementation and the enforcement of this positive legal framework is still a challenge.

The development and transformation of labour intensive manufacturing in East Africa is a priority for the region, especially in cotton, textiles and apparels; livestock, leather and footwear; and agro-food (dairy, cereals, fruits and vegetables) sectors (EAC Development Strategy 2016/17 – 2020/21). Women dominate in this sector and these three sectors accounts for over 70 percent of the value addition, exports and employment generation in the region.

In recognition of the importance of this labour intensive regional value chains, the EAC Heads of State underscored and issued policy guidance on the need for a comprehensive programme targeting the development of integrated industries and improving their competitiveness to meet the growing demand in regional and international markets. (EAC Development Strategy 2016/17 – 2020/21).

Challenges in this sector persist. Women in trade and business are unable to access both start up and working capital. They often lack the assets that financial institutions demand as collateral. While many microcredit institutions and informal savings associations lend to women, microfinance does not address the needs of women who wish to expand beyond the microenterprise level (ADB 2015).

## **2.6 Agriculture, Food Security and Nutrition**

Agriculture remains the backbone of Africa's economy, employing 70% of the population. Women play a major role in the agricultural economy; they make up two-thirds of the agricultural labor force and produce the majority of Africa's food (ADB 2016).

Women in Africa represent just 15% of landholders (that is, those who exercise management control over an agricultural holding as owners or tenants, or through customary rights). Women's landholdings also tend to be smaller and of poorer quality than those held by men. This trend is reflected at the Partner states.

In Kenya, 6% of the women own land, 71% women are found in the agriculture labor-force, and constitute 40% of small holders' farm managers, yet they have access to less than 10% of the available credit and less than 1% of agricultural credit. In Uganda, 14% of women own land and comprise of 70% in agricultural labor force (UBOS 2016). In the United Republic of Tanzania 13% women own land, and comprise of 69.9% in agricultural labor force. (Demographic and Health Survey and Malaria Indicator Survey (DHSMIS, 2015/16). In Rwanda, 26% of female headed households own land and 82% women employed in agricultural labor force. In South Sudan women comprise 82% of the labor force engaged in agriculture and agriculture related activities (National Bureau of Statistics October 2012).

From the above, it emerges that insecure land rights for women leads to underinvestment. Women farmers, faced with insecure land tenure are less likely to invest in their land or to adopt more efficient agricultural practices if they are uncertain of reaping the benefits in the long term. If women had the same access to productive resources as men, they could increase yields on their farms by 20–30percent (FAO 2011). Insecure land rights also reduce women's ability to pledge the land as collateral for loans.

Women also tend to be concentrated in subsistence-level agriculture and marginal activities in the shadow economy (ADB2016). They also have less access to land and face discrimination in both formal laws and customary practices.

The link between land rights and agricultural production has a direct effect in food security at household and national level including nutrition (UNDP 2013).



## 2.7 Access to Safe Water, Sanitation and Housing

The Universal Declaration of Human Rights of 1948 recognizes the right to housing as an important component of human rights. On the other hand, most definitions of poverty are linked to access to safe water, housing and sanitation.

Improved access to domestic water supply and sanitation brings considerable economic and social benefits at the household level. When the poor rely on inadequate water and sanitation services, these can damage their health and cause high health costs relative to income, an increase in morbidity and decreased ability to work. Furthermore, sufficient clean water supply is critical to the success of many household-based micro-enterprises. In Uganda access to safe water stands at 70% of the population in urban areas and 65% of the population in the rural areas (UBOS 2016). Burundi 79 % of the urban population in 2012 was covered by clean water against, 92.6% in 2015 and 63% of the rural population access to improved water source in 2012 compared to 67% in 2015. Kenya demographic health survey 2014 indicates the majority of households in Kenya 71% obtain drinking water from improved sources, while 27% use non-improved sources (Kenya Demographic Health Survey 2014). It is also estimated that 41% of the country's population (17% of the urban population and 48% of the rural population) still does not have access to an improved water supply.

Access to safe water is also juxtaposed with adequate sanitation. Adequate sanitation has effects on health and wellbeing. In Kenya the development targets set in Kenya Vision 2030, the government has rolled out a significant investment programme over the last few years. As a percentage of GDP, spending on the water sector increased from 0.5% to 1.1% of GDP between 2003/4 and 2008/9. In South Sudan, 7.4% households are using improved sanitation and 68.7% households have improved drinking water sources (South Sudan Health Survey 2010). In Uganda the percentage of households that used pit latrines was high (86% for rural and 74% for urban respectively). A higher proportion of households in urban areas (17%) than rural areas (3%) used VIP latrines (Uganda Household Survey 2017) In Rwanda more than 54% of the population has decent sanitation, from fewer than 1.5 million people in 1990 to more than 5.5 million today. Poor sanitation services also translate to high incidence of water-borne diseases (ADB 2016).

Poor sanitation, inadequate access to water are also linked to poor and inadequate housing. The number of rooms used for sleeping provides an indication of the extent of crowding in households. Overcrowding increases the risk of contracting infectious diseases such as acute respiratory infections and skin diseases, which particularly affect children and the elderly population

## 2.8 Gender in Employment and Labour Force

In case of Gender and employment, the major sector for employment in the EAC is agriculture with Rwanda (90.1%); Tanzania (74.7%), Uganda (68.7%). In Burundi Over 90 percent of Burundi's actively working population are employed in the agriculture sector, contributing some 50 percent of the gross domestic product. For Kenya the majority are in the service sector (63.7%), Industry (19.3%) and agriculture (17%). However, in the EAC, in comparison to men, women are more likely to become and remain unemployed, have fewer chances to participate in the labour force and when they do, have low value jobs.

The State of East African Report 2012 reported that in 2010 the labour force participation rate was highest in Tanzania at 89 per cent, followed by Rwanda (86 per cent), Burundi (83 per cent),

Uganda (78 per cent) and Kenya (66 per cent) the lowest participation rate. Labour force participation in the region fluctuated from 2000 to 2010 but did not decrease significantly. Kenya has remained the only country in the region with a participation rate lower than 70 per cent, while Tanzania is the only EAC country to have reached 90 per cent since 2000. Labour force participation rates among women have remained constant throughout the region. In 2000 Rwanda's participation rate among women was 86 per cent, which was the same in 2010. Uganda had a more pronounced decrease in female labour force participation, from 81 per cent in 2000 to 76 per cent in 2010

Majority of the women in East Africa like the rest of the Sub Saharan Africa devote a lot of time to unpaid care work like caring for the sick, collecting water, firewood among others. One estimate is that some 40 billion hours a year are spent collecting water in sub-Saharan Africa — equivalent to a year's labour for the entire workforce of France (UNDP,2006). This, therefore, calls for holistic interventions like improvements in availability and accessibility of safe water through communal water holes, safe springs, boreholes, access to health services, alternative sources of energy (energy saving stoves and solar energy) would save time and participation in more productive entities.

## **2.9 Gender and Migration**

Migration (movement of persons) across borders poses a risk to women more than men. Majority of migrant workers are women and girls and face challenges such as exploitation, poor and hazardous working conditions, denial of labour rights, human trafficking, intimidation and extortion at borders and sexual harassment.

The EAC Region lacks gender disaggregated data on migration and the situation is exacerbated by limited funding of the labour sector in Partner States. As a result, there are many illegal migration activities that are difficult to monitor by Partner States.

## **2.10 Gender, Energy and Lighting**

In terms of access to energy, East African countries are emerging among leaders on the continent when it comes to putting in place policies on access to energy, energy efficiency and investment in renewable sources. Available data indicates that between 2011 and 2015 the installed capacity for hydroelectricity and geothermal for Kenya increased by 2.9 percent and 9.3 percent respectively, while in other Partner States it remained constant. Installed capacity for thermal electricity decreased by 63.9 percent in the United Republic of Tanzania, while it increased by 11 percent in Kenya. Generation of hydroelectricity in Tanzania reduced significantly by 18.7 percent, while marginal increases were registered in Uganda and Kenya. Generation of thermal electricity also registered significant decline for Kenya, Uganda and Tanzania by 45.4, 21.1 and 8.4 percent, respectively, while generation of geothermal for Kenya increased by 55.0 percent.

Statistics in this sector on gender concerns as consumers or as producers is usually missing. Consequently, it is not clear how women compared to men have used opportunities either as energy consumers or in an energy business are still extremely limited. With the advent of Pay-as-You-Go (PAYGO) solar home systems that was pioneered in East Africa, the combination of the extension of credit to consumers, remote collections, and advanced data platforms, are leading to rapid scale-up of off-grid solar, with women as one of the major customer segments (EAC Fact and Figures 2016). Challenges in this sector are largely lack of sex desegregated data (ADB 2016).

## **2.11 Gender Mining and extractive industries**

Nearly all the East African countries have ratified international conventions that emphasize the recognition, respect, protection and promotion of gender equality. Article 17 of the EAC Gender Equality and Development Bill provides that: Partner States shall cooperate to ensure proper and beneficial exploitation and use of the proceeds from the extraction of natural resources; ensure that there are mechanisms to effectively protect the rights of indigenous communities especially women including land and property rights in areas where extractive industries are established; and ensure that contracts for exploitation of extractives are awarded.

Tanzania has passed legislation on the involvement of women in its extractive industries. Similar commitments are contained in Rwanda's energy policy and Uganda's laws, in which at least three board members of the Petroleum Authority must be women.

For women in particular, extractive industries can provide opportunities for a better life, including increased employment opportunities, access to revenues, and expanded investment in the local community. Women-led businesses can flourish in the extractives supply chain (World Bank 2013)

## **2.12 Sexual and Gender Based Violence, Harmful Cultural Practices including FGM/C**

Since the 1990s, there has been an increased focus on violence against women in general, and domestic violence in particular, in both developed and developing countries. Not only has domestic violence been acknowledged worldwide as a violation of basic human rights, but an increasing amount of research continues to highlight the health burdens, intergenerational effects, and demographic consequences of such violence. Sexual and gender based violence is caused by unequal power relations between men and women, sociocultural norms that normalize GBV practices and changing gender roles. Poverty and illiteracy, breakdown of the family unit and support systems and insecurity and conflict and political instability contribute to sexual and gender based violence. Further, there is a strong link between sexual and gender based violence and HIV.

In Kenya, 14 percent, Tanzania 44%, Rwanda 35% and in Rwanda, and 50% in Burundi of women aged 15-49 have ever experienced sexual violence (KDHS 2014; RDHS 2016; Uganda DHS 2016 ; TDHS 2016 and Troisième Enquête Démographique et de Santé au Burundi (EDSB-III))2016-2017. In all the Partner States Women are more than twice as likely to experience sexual violence as men, and physical violence was more rampant than sexual violence. Table 2.12.1 shows different forms of violence among women aged 15-49.

**Table 2.12.1 Experience of Different Forms of Violence among women aged 15-49 (Percent)**

Partner State	Forms of Violence		
	Physical violence only	Sexual Violence	Emotional Physical, or sexual violence
Kenya	45	14	39
Uganda	56	28	60
United Republic of Tanzania	40	17	29
Rwanda	35	22	40
Burundi	76.6	14	Data Not Available
South Sudan	Data Not Available	Data Not Available	Data Not Available

**Source: Demographic Health Surveys from Partner States**

Women’s experience of violence also tends to decrease as the number of decisions in which they participate increases. Education, and economic independence thus becomes critical in the process of ending domestic violence. The possibility of reporting the experience of sexual violence in all the East African Partner States is higher among women aged 30-49 years while those aged 15-19 are less likely to report (see DHS for all Partner States).

Women and girls in the partner states also suffer from FGM/C. The prevalence of FGC/M in the Partner States where it is practiced has decreased over the past two decades. It dropped from 18% to 10% among women age 15-49 in the United Republic of Tanzania between 1996 in 2016 (TDHS 1996 and 2016). In Kenya, the 2014 KDHS, reported 21 percent of women reported being circumcised, as compared with 27 percent in 2008-09 and 32 percent in 2003.

A number of legislations in each of the partner states have been enacted to protect and deal with gender based violence. Kenya has enacted several laws and has policies and regulations to prevent and control various forms of violence against women and children including in the Constitution of Kenya (2010), the Sexual Offences Act (2006), the Children’s Act (2001), the Penal Code (2009), the Prohibition of Female Genital Mutilation Act (2011), and the National Gender and Equality Commission Act (2011). Rwanda's 2008 *Law on Prevention and Punishment of Gender-Based Violence* prescribes a punishment of 10 years to life imprisonment for rape, and 6 months to 2 years for spousal rape (Rwanda 2008, Arts. 16, 19). In Tanzania, the Sexual Offences Special Provision Act has been in force since 1998 (Tanzania demographic and Health Survey and Malaria Indicator Survey 2016). Uganda revised its family law in 2000 and its criminal law and constitution in 2005 to protect and guarantee the rights of women and children and to promote gender equality and equity.

Some of the challenges experienced by the Partner States include inadequate enforcement of legislation, weak chain of custody of forensic evidence, Lack of DNA laboratories, weak linkages among the chain actors and social- cultural factors hindering reporting. Challenges of limited documented evidence on what works for primary prevention while the link between gender based violence and HIV AIDS is still not clear or well-articulated for programming. Further, time spent and distances covered in the process of seeking redress demotivates survivors from follow up. On the

other hand, rehabilitation of perpetrators is a challenge. The challenges of FGM/C include challenges with medicalization of FGM, socio cultural perceptions of the link between FGM/C and the marriage institution among others. (Kenya National Policy for prevention and response to gender based violence 2014; UBOS 2016/2017; Burundi National Strategy Against SGBV 2017-2021), (Tanzania demographic and Health Survey and Malaria Indicator Survey 2016).

### **2.13 Gender, Peace and Security**

Women are disproportionately affected by armed conflict. While entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex. Despite bearing the brunt of conflict and war, women remain largely excluded from peace building and peacekeeping efforts. The number of women remains low at the top levels of decision-making in peacekeeping missions, in the ranks of civilian and military personnel, at peace negotiating tables, and in post-conflict governance and development processes.

International efforts to enhance women's role and decision-making capacities with regard to conflict prevention, conflict resolution and peace building and to significantly improve factors that directly influence women's security were given a boost in the year 2000 when the UN Security Council adopted UNSCR 1325 on "Women, Peace and Security".

The adoption of UNSCR 1325 marked the first time that gender issues, and more specifically women's concerns, were placed on the peace and security agenda of the United Nations. Key issues in regard to UNSCR 1325 are the standards set that guide countries in the areas women are to be involved in the peace processes and these are (i) Prevention, (ii) Protection, (iii) Relief and Recovery and (iv) Participation in the post conflict and peace processes.

Various regional instruments have also recognized the pivotal link between gender equality and peace and security. The Maputo Protocol, the AU Gender Policy, the AU Solemn Declaration on Gender Equality and the AU Agenda 2063 all recognize that women have the right to participate in the promotion and maintenance of peace and the active role National Governments must play in the promotion and protection of women and girls' rights in conflict and post conflict contexts. The EAC Treaty further recognizes that peace and security are paramount for the achievement of the four pillars of the Treaty.

In the East African Community (EAC) all Partner States have developed National Action Plans (NAP's) for the implementation of UNSCR 1325 on Women, Peace and Security as recommended by the UN Secretary General in 2004. Uganda NAP (2008), Rwanda NAP (2010), Burundi NAP (2011), South Sudan NAP (2015), Kenya NAP (2016) and Tanzania NAP (2016) are all under implementation at national level. Regional integration, particularly the formation of the East African Community also provides for an opportunity to strengthen and engage in concerted efforts for implementation of UNSCR 1325 and subsequent Women, Peace and Security Resolutions.

### **2.14 Gender, Environment and Climate change**

Detrimental effects of climate change can be felt in the short-term through natural hazards, such as landslides, floods and hurricanes; and in the long-term, through more gradual degradation of the environment. The adverse effects of these events are already felt in many areas, including in relation to, *inter alia*, agriculture and food security; biodiversity and ecosystems; water resources;

human health; human settlements and migration patterns; and energy, transport and industry (UNDP 2017).

In many of these contexts, women are more vulnerable to the effects of climate change than men, primarily because they tend to be poorer and are more dependent for their livelihood on natural resources that are threatened by climate change.

Women and men in rural areas tend to be more vulnerable when they are highly dependent on local natural resources for their livelihood. Those charged with the responsibility to secure water, food and fuel for cooking and heating face the greatest challenges. Women are not only vulnerable to climate change but they are also effective actors or agents of change in relation to both mitigation and adaptation. They often have a strong body of knowledge and expertise that can be used in climate change mitigation, disaster reduction and adaptation strategies.

To facilitate effective participation in the on-going regional and international climate change negotiations, the EAC has adopted a common position on climate. The position, which is aligned with the five pillars of the Bali Plan of Action, prioritizes adoption of the five pillars. Other areas of focus are mitigation, technology development and transfer, capacity building, and financing.

### **3.0 RATIONALE FOR THE EAC GENDER POLICY**

The need to prioritize gender and equality concerns has been discussed in various global *fora* and as a result, the Partner States have signed or ratified various regional and international instruments that guide member States on gender equality concerns. The EAC Partner States in signing and ratifying or acceding to the various International and regional human rights instruments have demonstrated their commitment to promote gender equality and women's empowerment as a fundamental human right. The EAC Partner States are also party to the global development agenda of the Sustainable Development Goals. The development and implementation of this policy will be pivotal in achieving SDG 5 targets by the region.

The Partner States further appreciate the emerging threats resulting from HIV and AIDS, globalization and human trafficking in general, women and girls in particular, the feminization of poverty, gender based violence, climate change, issues of women and children in conflict and war; urbanization; amongst other factors which impact negatively on them.

The Policy framework also takes cognizance of the fact that women's poverty is also a result of socially enforced gender roles and relations and that if the causes of gender inequality are not addressed, gender related poverty will persist.

The EAC Partner States have multiple memberships to other Regional Economic Communities (RECs). They are signatories to different multilateral and bilateral instruments, there is no alignment of priorities, initiatives, monitoring and evaluation frameworks that would embed accountability within the EAC. The need for a harmonized policy and legislative framework that creates a level playing field for all stakeholders within the EAC therefore arises to guide the region on gender equality issues moving forward, hence this policy framework.

## **4.0 STRATEGIC DIRECTION OF THE POLICY**

### **4.1 Mandate**

The mandate of the EAC Gender Policy is derived from the strong commitment of the EAC as enshrined in Article 5(3e),6(d), 121 and 122 of the Treaty for the Establishment of the East African Community. These Articles provide the normative framework for non-discrimination, principles of social justice, equal opportunities, gender equality, as well as recognition, promotion and protection of human and people's rights in accordance with the provisions of the African Charter on Human and People's Rights.

### **4.2 Vision**

Women and men, boys and girls living a quality life in an inclusive community

### **4.3 Mission**

To achieve Gender Equality and Equity through gender responsive sustainable development.

### **4.4 Goal**

An inclusive community which guarantees equal rights and opportunities for women and men, boys and girls.

### **4.5 Objectives**

The EAC Gender Policy is intended to achieve the following objectives: -

- a) Promote the development, coordination, harmonization and reporting on gender equality commitments by the Community.
- b) Strengthen the mainstreaming of gender concerns in all sectors of the planning and budgetary processes of the EAC Organs and Institutions and Partner States.
- c) Promote women's participation in political and decision-making at all levels.
- d) Promote equal access to and control of productive resources and participation in regional trade.
- e) Strengthen measures that prevent and respond to Gender- based violence and other harmful cultural practices.
- f) Enhance processes that include women in peace and security at all levels of prevention, protection, participation, relief and recovery.

### **4.6 Guiding Principles**

This policy is guided by the principles of equality and equity as enshrined in key international and regional frameworks and are mutually re-enforcing; and is also guided by the principle of good governance, rule of law and people-centeredness as enshrined in the EAC Treaty;

#### **i. Gender Equality and Equity**

The policy subscribes to the principles of equal opportunities and equitable distribution of programmes, services, and resources. It also endeavors to promote processes that promote equitable access to socio-economic opportunities, political participation for women

#### **ii. Gender Inclusiveness**

The policy promotes the principle of and non-discrimination, based on gender, race/origin, age, ethnicity, creed, political affiliation or social status including working to eliminate gender discrimination and violence. It calls for elimination of stereotypes, prejudices and other negative practices against women.

#### **iii. Women and the Right to Dignity**

The principle of equality between women and men and its effective application is underscored as in the Maputo Protocol; It endeavors to promote the dignity and respect of women and girls as a person and to the free development of her personality.

#### **iv. Women's Empowerment**

The Policy advocates for creation of a supportive socio-cultural, economic and political environment that will empower the women to be active partners in key decision-making processes in the political, economic and socio-cultural development of the region

#### **v. Good Governance**

The policy seeks to promote the values of good governance, a just and tolerant society, promotion of transparency, integrity and accountability; and a spirit of nationhood and patriotism. In addition, the policy serves as a channel to promote values of conscientiousness and inclusiveness.

#### **vi. Access to Justice and Equality Before the Law**

The principles Promotes individual freedom, equality before the law, entitlement for protection of the law, entitlement to respect for life and integrity of persons, and prohibition of slavery, torture, cruel, inhuman and degrading punishment.

#### **vii. Prohibition of Discrimination and violence in all forms based on Gender or Nationality**

The Principle underscores the elimination of all violence against women and the prohibition and curbing all forms of discrimination particularly those harmful Cultural Practices, which endanger the health and general well-being of women as in (Art. 2) of Maputo Protocol.

#### **viii. Affirmative action**

This principle calls for adherence to the parity principles as enshrined in the constitutive Act of the AU Art 4, Principles I and N and where possible the implementation of affirmative action to achieve the parity. It calls for National Gender Action Plans with clear monitoring systems as prerequisites to the attainment of gender equality.

### **5.0 PRIORITY ACTION AREAS**

The policy has identified fourteen key priority action areas that when addressed will promote gender equality and equity within laws, policies, programmes and projects of the Community. The actions address Gender concerns in Governance and Participation; Education and Training; Health



and HIV/AIDS; Gender-Based Violence; Environment and Climate change; Energy; Agriculture, Food Security and Nutrition; Trade and Economic Empowerment; Security, Peace Building and Conflict Resolution; Mining and Extractive Industries; Access to Safe water, Sanitation and Housing; as well as Migration.

## **5.1 Governance and Participation**

### **Policy Statement**

The EAC is committed to undertaking measures that will address discrimination against women and girls and enhance gender equality and equity in elective and appointive positions in both public and private sectors at regional and national level.

### **Policy Actions**

*Partner States shall:*

- a) Develop, review and implement National Gender responsive policies, affirmative action legislations and programmes aimed at eliminating discrimination against women and girls in leadership.
- b) Design and strengthen mechanisms for monitoring, evaluating and reporting progress in the implementation of international, regional and national gender equality related instruments;
- c) Establish mechanisms for promoting participation of young women and men in leadership in Public and Private sectors;
- d) Institutionalise Gender auditing at all levels of government as well as the Private Sector

*EAC Secretariat shall:*

- 1) Establish a coordination mechanism for enhancing Gender Equality and Women's Empowerment in the Community.

## **5.2 Education and Training**

### **Policy Statement**

The EAC is committed to increasing access to education and training opportunities for women, men, girls and boys and ensuring elimination of all forms of discrimination in the sector in order to enhance human capital development in the region.

### **Policy Actions**

Partner States shall:

- (a) Develop and implement gender responsive national education policies, programs, plans and strategies in line with international and regional commitments;
- (b) Develop a National data bases for professional qualifications to track the human capital status in the Region;
- (c) Develop mechanisms to ensure equal enrolment, retention and transition of all girls and boys including those with special needs in education at all levels;
- (d) Develop affirmative action strategies to ensure and that there is equal access to ICT, Science and Mathematics at all levels;
- (e) Develop and implement strategies for addressing Sexual Harassment and Gender Based Violence in education institutions and workplaces; and

- (f) Develop and implement minimum standards for sanitation and hygiene to meet the special needs of boys and girls.

EAC Secretariat shall:

- a) Design a regional strategy for involvement of the private sector in national educational efforts and adopt the concept of social responsibility for education especially of the girl child;
- b) Establish regional mechanisms for enhancing partnerships between inter-country universities within the EAC to enhance girls' education through role modeling exchange programmes; and
- c) Support regional initiatives for training and skills development to achieve the objectives of women's economic empowerment and seek strategic partnerships to enhance the skills of women, girls and boys in entrepreneurship and business leadership.

### 5.3 Health, life expectancy maternal and child mortality

#### Policy Statement

EAC is committed to the achievement of the highest attainable, sustainable and affordable standards of health for men and women, boys and girls through addressing gender inequalities in access and control over basic healthcare services and facilities and in particular reducing Maternal and Child mortality.

#### Policy Actions

*Partner States shall:*

- a) Develop and implement strategies for enhancing access for Universal Health Services for all;
- b) Institutionalise gender mainstreaming into planning, budgeting, implementation, monitoring *and evaluation* of health programmes projects *and* all health sectoral policies;
- c) Build Capacity for health care providers to enable them provide quality and gender responsive services especially on maternal and child health care;

*EAC Secretariat shall:*

- a) Facilitate sharing of best practices and exchange of experiences in relation to reduction of maternal and child mortality among Partner States.
- b) Develop gender responsive programmes that promote and strengthen access to health care especially on mother and child harmoniously across the borders of Partner states

### 5.4 Gender, HIV and AIDS

#### Policy Statement

EAC is committed to the achievement of zero new infections on HIV and AIDS and care for all the infected through addressing gender inequalities in access and control over basic healthcare services and facilities.

#### Policy Actions

*Partner States shall:*

- a) Strengthen Primary Healthcare ( PHC) in general and reproductive health services including access to family planning, improving ante natal care, skilled delivery in health facilities,

maternal nutrition, post-natal care including management of Prevention of Mother to Child Transmission (PMTCT);

- b) Increase resources that facilitate access to ARVs to all who need and address stigma especially among children and the youth
- c) Capacity building for health care providers to enable them provide quality and gender responsive services especially on sexual and reproductive health;
- d) Develop and implement Gender-Responsive communication strategy for sustainable awareness programmes on the prevention, care, rehabilitation and treatment of STIs, HIV and AIDS; and address stigma; including management of Prevention of Mother to Child transmission (PMTCT);
- e) Develop mechanisms for supporting caregivers and encourage men in providing unpaid care work.

*EAC Secretariat shall:*

- a) Develop and implement gender responsive policies and programmes that address the critical health issues affecting the region in relation to HIV and AIDS, tuberculosis and STI's;
- b) Strengthen the existing partnerships between EAC, Private Sector, Civil Society, Faith-based Organizations and Development Partners involved advocacy and raising awareness on Sexual and reproductive health; and
- c) Facilitate sharing of best practices and exchange of experiences regarding access to ARVs for all and especially Prevention of Mother to Child transmission (PMTCT) among Partner States.

## **5.5 Trade, Business and Economic Empowerment**

### ***Policy statement***

The EAC commits to create an enabling environment for increased access and control of productive resources and economic benefits by men and women, boys and girls in both formal and informal sectors.

### **Policy Actions**

*Partner States shall:*

- a) Enhance gender analysis in macro-economic policy formulation, implementation, monitoring and evaluation.
- b) Strengthen gender mainstreaming in national economic processes, economic policy formulation and gender budgeting initiatives;
- c) Support and promote participation of women in small, medium and large enterprise development and cross border trade;
- d) Create and strengthen credit guarantee schemes with key partners and link them to financial institutions to enable them design gender sensitive products;
- e) Promote equitable access by women and men to national, regional and international markets including trade negotiations;
- f) Support capacity building of Women Entrepreneurs to increase uptake of ICT driven innovations and leverage existing platforms to enhance usage and competitiveness;
- g) Promote cooperative movements and innovative entrepreneurial programmes for both women and men in high value sectors;

- h) Promote affirmative action initiatives to enable women conduct business with public and private sector entities of Partner States;

*EAC Secretariat shall:*

- a) Coordinate information exchange, research and documentation and capacity building initiatives;
- b) Resource mobilisation for implementation of the Regional Strategy for promoting Women in Business for Socio-economic Development;
- c) Facilitate the review of regional trade, economic and customs, immigration policies, laws, procedures, regulations and rules to make them gender equity compliant;
- d) Establish a regional database on business opportunities for men and women; and
- e) Facilitate involvement of young women and men in trade and service sectors through training, mentoring, information sharing and networking.

## **5.6 Gender, Agriculture, Food Security and Nutrition**

### **Policy Statement**

EAC commits to the sustainable development of the agricultural sector to ensure food security and improved nutrition for all men and women, boys and girls in the Community.

### **Policy Actions**

*Partner States shall:*

- a) Strengthen the agricultural policies and programs to enhance the role of women and men and undertake gender responsive monitoring and evaluation of agricultural development program;
- b) Integrate gender in the agricultural value chain to ensure equitable participation of both men and women, boys and girls;
- c) Strengthening gender responsive agricultural research to develop appropriate technologies for increasing food production, processing and storage as well as enhancing the nutritive value of food;
- d) Develop and strengthen programs that are aimed at addressing nutritional needs of vulnerable groups; and
- e) Strengthen multi-sectoral collaboration to agricultural development for inclusiveness and sustainable food production.

*EAC Secretariat shall:*

- a) Engender the EAC Agricultural, Food and Nutrition, Security Policy;
- b) Facilitate exchange of information, good practices and experiences on agriculture, food security and nutrition in the Community.

## **5.7 Access to Safe Water, Sanitation and Housing**

### ***Policy statement***

EAC commits to promote equality in access to safe water, adequate sanitation and affordable housing for all.

### ***Policy Actions***

#### *Partner States shall*

- (a) Develop and implement enabling policy frameworks for accessing safe water, adequate sanitation and affordable housing in both urban and rural settings cognizant of differentiated gender needs;
- (b) Promote equity in decision-making in designing water technologies and management of water facilities;
- (c) Develop gender responsive water and sanitation technologies;
- (d) Promote gender responsive research and innovation in the water sector.

#### *EAC Secretariat Shall*

- a) Provide technical backstopping for Gender mainstreaming in provision of safe water, adequate sanitation and affordable housing;
- b) Develop gender sensitive standards on access to safe water, adequate sanitation and affordable housing;

## **5.8 Gender Equality in Employment and Labour Force**

### ***Policy statement***

To facilitate labour mobility across Partner States, decent work and harmonization of Partner States Labour and Employment policies, laws and frameworks.

### ***Policy Actions***

#### *Partner States shall*

- a) Engender national migration and related policies to accord equal treatment of men and women within the region;
- b) Promote equity of gender in the employment sector through enabling policy and legislation
- c) Support and promote participation of women in in all sectors of labour provision and employment and across border;

#### *EAC Secretariat Shall*

- a) Foster regular policy dialogue on gender employment and migration; and
- b) Establish and strengthen partnerships with stakeholders engaged in migration in East Africa to ensure gender responsive programming.
- c) *Keep track of cross border labour force through an updated data base*

## **5.9 Gender and Migration**

### ***Policy statement***

To facilitate the management of intra-regional movement of men and women; boys and girls by providing relevant information and protection of rights of migrants in line with the EAC Treaty provisions and International Conventions and instruments.

Partner States shall:

- a) Develop and Implement effective mechanisms to address migrant trafficking and smuggling, and other illegal practices which specifically target and exploit migrant women
- b) Establish rehabilitation and reassurance conditions for women and girls who have been victims of smuggling and trafficking
- c) Strengthen gender-sensitive observance of migrants 'rights during and after migration episodes.
- d) Integrate gender perspectives into migration management policies and strategies

EAC Secretariat shall:

- a) Mainstream gender throughout migration management policies and strategies; and
- b) Develop common guidelines for externalization of labour to third parties.

## 5.10 Gender, Energy and Lighting

### Policy Statement

The EAC is committed to increase access to affordable energy for men and women in order to increase economic development and improve standards of living.

### Policy Actions

*Partner States shall:*

- a) Develop and implement frameworks which increase women and men's equal participation and involvement in energy value chains;
- b) Promote the use of appropriate technologies and equal access to alternative, affordable clean energy sources for rural and urban populations;
- c) Promote the financing of appropriate and affordable technologies for lighting.

*EAC Secretariat shall:*

- a) Harmonize legislation and set minimum standards on gender and energy; and
- b) Establish a platform for sharing best practices on Gender and Energy.

## 5.11 Gender in Mining and Extractive Industries

### *Policy statement*

Promotion of equitable participation of women and men, boys and girls in mining and extractive sectors at different levels of the value chain.

### *Policy Actions*

*Partner States shall*

- a) Develop and implement framework, structures and mechanisms that shall ensure equitable access, control and ownership at different levels of the value chain;
- b) Establish measures to curb environmental degradation and occupational /health hazards in the mining and extractive sectors;
- c) Develop and implement a sector specific gender strategy for mining and extractives; and
- d) Establish gender responsive infrastructure for mining and extractive industries.

*EAC Secretariat Shall*

- a) Engender the regional mining and extractive industry legal and policy frameworks; and
- b) Establish a regional database on mining and the extractive industry for participation of men and women.

## **5.12 Gender-Based Violence and Harmful Cultural Practices**

### **Policy Statement**

EAC is committed to eliminate Gender-Based Violence in all its forms, including harmful cultural practices.

### **Policy Actions**

*Partner States shall:*

- a) Develop, strengthen and implement legislation and policies addressing GBV in all its forms including ending impunity of perpetrators;
- b) Enhance capacity of duty bearers to address GBV along the referral pathway;
- c) Integrate GBV prevention and response in education, health and HIV/AIDS programming;
- d) Design GBV prevention and response programs targeting vulnerable groups;
- e) Design and implement programs that outlaw harmful cultural practices;
- f) Establish and Strengthen mechanisms for multi-sectoral coordination, monitoring and evaluation, research and documentation on GBV; and
- g) Establishment of strategic partnerships for the involvement of men and boys, Faith-Based Organizations and traditional leaders in advocacy and mobilization for prevention of GBV.

*EAC Secretariat shall:*

- a) Establish a regional data base on GBV and *harmful* cultural practices to guide policy and programming in the region;
- b) Develop guidelines for addressing GBV in all forms; and
- c) Facilitate sharing of information, best practices and exchange of experiences on GBV among Partner States.

## **5.13 Gender, Peace and Security**

### **Policy Statement**

EAC is committed to promote implementation of UN Security Council resolutions 1325, 1820 women security in line with the four pillars; Protection, Prevention, participation, Relief and Recovery in the post conflict peace reconciliation and development in the region.

### **Policy Actions**

*Partner States shall:*

- a) Develop, resource and implement the National Action Plans on UN Security Council Resolution 1325;
- b) Facilitate equal representation and participation by both men and women in key decision – making positions in conflict resolution, peace building and peace keeping initiatives;

*EAC Secretariat shall:*

- a) Engender the implementation of the EAC Protocol on Peace and Security;
- b) Institutionalize gender parity in peace and security negotiations; and
- c) Institutionalize the EAC Women, Peace and Security Network within the East African Community; and convene an annual forum on Women Peace and Security.

## **5.14 Gender, Environment and Climate change**

### **Policy Statement**

The EAC is committed to ensure gender responsiveness in the sustainable management of the environment and natural resources; climate change adaptation and mitigation initiatives.

### **Policy Actions**

*Partner States shall:*

- a) Develop and review environment and natural resources management laws, policies and programs to ensure gender and equity compliance;
- b) Build the capacity of state and non-state development agencies in gender mainstreaming into environment and climate change laws, policies, programs and national environmental action plans;
- c) Support interventions aimed at equitable participation of men and women in the sustainable utilization of natural resources for economic benefits including opportunities for carbon trading; and

*EAC Secretariat shall:*

- a) Design a regional research agenda on Gender and Climate Change;
- b) Integrate gender responsiveness in the EAC Disaster Risk Reduction and Management mechanisms; and
- c) Develop an EAC gender responsive framework on the shared ecosystem with minimum standards for forest cover and protection of water towers.



## **6.0 IMPLEMENTATION ARRANGEMENT FOR THE EAC GENDER POLICY**

The implementation of the policy will be the responsibility of the Partner States and the EAC Secretariat that will be working closely with the East African Legislative assembly. There is need to adopt processes and mechanisms that will assist in translating the policy provisions into actionable activities and projects. These processes include the establishment of a Gender Management System (GMS) and the development and implementation of a Regional Gender Action Plan. The GMS is a set of structures, mechanisms and processes to ensure that gender considerations are integrated into all policies, programmes and activities. Also important is the mainstreaming of gender in National Development Plans and other government policy making, planning, budgeting and programming of activities.

Based on these principles EAC makes the following commitments with regard to the Gender Mainstreaming System.

### **6.1. Institutional arrangement for implementing the Policy**

The EAC Secretariat and Partner States shall create an enabling environment where all citizens are committed to achieving gender equality and the empowerment of women and girls by adopting a regional approach to the implementation of international, regional and national gender equality instruments.

#### **6.1.1 Role of the EAC Secretariat**

EAC Secretariat shall:

- a) Coordinate and guide the overall implementation of the policy and the regional Action Plan;
- b) Report on the implementation progress of the policy to the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development;
- c) Enact laws that will ensure gender equality is mainstreamed into Partner State's national constitutions and laws;
- d) Build the capacity of Partner States' national gender machineries to monitor, coordinate and evaluate other national public, private and civil society institutions;
- e) Establish regional database on women businesses to inform the development of mechanisms to support the women entrepreneurs;
- f) Strengthen the EAC Gender and Community Development department to enhance its capacity to implement the EAC Gender Policy;
- g) Facilitate the establishment of GMSs at the EAC Secretariat and Partner States level to enhance capacities for gender mainstreaming;
- h) Promote collaboration and linkages between gender structures among EAC organs and Institutions as well as between Partner States;
- i) Strengthen linkages, collaboration and partnerships between the Gender Department and other Regional Economic Communities, Continental and Global gender structures, Regional NGOs, CBOs and other networks;

- j) Establish sustainable partnerships with all levels of development partners, for technical and financial support in the implementation of the policy;
- k) Promote transparency and accountability among EAC organs and institutions as well as Partner States through structured reporting; and

### **6.1.2. Role of Partner States**

EAC Partner States shall set up effective institutional structures and mechanisms for implementing and monitoring the gender policy and allocate adequate financial and human resources to facilitate the implementation of the gender agenda.

Partner States shall:

- a) Review and refocus the mandates of the national machineries to be facilitative in the coordination and networking with other partners;
- b) Develop sector specific guidelines and tools for facilitating gender mainstreaming activities at all levels;
- c) Provide gender sensitivity and mainstreaming training within government departments and ministries in order to ensure a thorough understanding of gender terms, budgeting and cross cutting issues;
- d) Support the institutionalization of Gender Units by creating posts in all ministries with gender mainstreaming as a key result area of those positions;
- e) Review human resource policies to ensure gender equity is embraced in recruitment and development of staff in institutions;
- f) Establish and strengthen strategic collaboration, networking and partnership between Private Sector, NGOs, CBOs and government in order for them to strengthen gender competencies;
- g) Support strategic resource mobilization for implementation of the gender d policy action plans at regional and national level;
- h) Develop and implement a national gender action plan with adequate gender responsive budget to operationalize the Policy; and
- i) Enhance coordination of national institutions to achieve effective gender mainstreaming in regional and national development initiatives.

### **6.1.3. Role of Development Partners**

Development Partners will work closely with the EAC Secretariat, the Partner States, Civil Society Organisations, Private Sector and other key stakeholders to provide technical and financial support.

## **7.0 MONITORING, EVALUATION AND REPORTING**

EAC Secretariat and Partner States shall institutionalize tools for effective monitoring and evaluation of all programmes and initiatives resulting from this policy in order to facilitate timely reporting, decision-making and direction on progress of implementation at regional and national level respectively.

Strategies will include:

- a) Facilitate the development of a monitoring plan taking into account short- term, medium term and long-term indicators of gender equality;
- b) Facilitate the design of a regional tool for collecting quantitative and qualitative gender disaggregated data on all key focus areas of the policy assist in tracking progress in implementation of the policy;
- c) Build capacity of statistical institutions in gender analysis so as to ensure that data collection and management methodologies are fully engendered;
- d) EAC Secretariat shall initiate harmonization of reporting on gender equality instruments; and
- e) Development of an information exchange system including quarterly meetings of gender focal points at national level, semi-annual regional gender experts' committee meetings, and biennial regional gender conferences.

In addition, progress on the implementation of the EAC Gender Policy will be reported at all EAC regional meetings (Council of Ministers and Summit of Heads of States). The reporting will be based on the commitments made in this policy as well as in other EAC gender instruments, and other international instruments. To this effect there will be need for EAC Secretariat to initiate discussions with other international organizations on the need to harmonize the reporting format so that it should incorporate the interests of all instruments in order to facilitate reporting.

The EAC Gender and Community development department will ensure periodic, consistent and harmonized reporting on progress in implementation of gender policy action plans with a view to provide accurate information to Partner States on the achievement of gender equality.

### ***7.1 Regional Gender Policy Implementation Plan***

The Policy implementation will be facilitated and coordinated by the Gender and Community development department of the EAC Secretariat. A Regional Policy Implementation Plan will be developed to state policy priority interventions by Secretariat on its coordination role in the next five (5) years. The plan will lay down key priority activities to be implemented according to suggested time frames. In order for the Gender Policy to be implemented at national level, Partner States will harmonize their existing policies with the provisions of this policy. In addition, Partner States will develop their own policy implementation action plans and strategies based on national priorities using the EAC Gender Policy for reference.

### **7.2 Monitoring and Evaluation Plan**

EAC Secretariat shall be responsible for developing a Monitoring and Evaluation framework with a time bound plan which Partner States shall use for reporting on implementation on the Gender Policy through the National Gender Mechanisms (NGMs). NGMs reports shall be inclusive of implementation conducted by the Civil Society. Review of the Policy shall be conducted every five years or as need arises.

## 8.0 ALLOCATION OF RESOURCES

EAC Secretariat and Partner States shall ensure that sufficient financial resources are allocated to the gender institutions for the implementation of gender initiatives.

Strategies shall entail:

- a) Development of gender budgeting guidelines and implementation plans for all public and private sector institutions;
- b) Adopting measures for allocation of sufficient and adequate resources to gender mainstreaming activities and implementation of the gender commitments in the policy; and
- c) Building the capacity of the ministries of Finance with regard to gender budgeting to facilitate in-depth understanding on the importance of gender responsive budgeting.

## 9.0 CONCLUSION

This gender policy framework covers the period 2018-2022. The policy framework is closely hinged to the international and regional frameworks. It has borrowed heavily from the Partner States of the East African Community also being cognisant of the positioning at the African Union Region. The framework has also been hinged on the East African Community Treaty. All the East African Community Countries, Kenya Uganda Tanzania Rwanda Burundi and South Sudan contributed to this framework. The framework is cognisant of differential experiences but also the various unifying factors in the countries involved. It is hoped that this Framework will contribute immensely in accelerating the achievement of gender equality and equity in the east African region.

## GLOSSARY

**CEDAW** The Convention on Elimination of All forms of Discrimination Against Women (CEDAW) provides the basis for realising equality between men and women through ensuring women's access to, and equal opportunities in, political and public life; and state parties have agreed to take appropriate measures including legislation and temporary special measures so that women can enjoy human rights and fundamental freedoms

**Empowerment** The process of generating and building capacities to exercise control over one's life through expanded choices. Empowerment is linked with inherent self-confidence, knowledge, skills, attitudes and voice. It is a function of the individual's initiative that is backed up by institutional change.

Gender	The socially and culturally constructed differences between men and women, boys and girls, which give them unequal value, opportunities and life chances (Kabeer, 2003). It also refers to typically masculine and feminine characteristics, abilities and expectations about how women and men should behave in society. These characters are time bound and changeable
Gender Analysis	Qualitative and quantitative assessments to determine the differential impacts of development activities on women and men and the effect that gender roles and responsibilities have on development efforts and to trace the historical, political, economic, social and cultural explanations for these differentials (McGregor and Basso, 2001).
Gender Awareness	The recognition of the differences in the interests, needs and roles of women and men in society and how they result in differences in power, status and privilege. It also means the ability to identify problems arising from gender inequity and discrimination.
Gender Blind	The situation where potentially differential policy impacts on men and women are ignored.
Gender Budget	A budgeting method that analyses the incidence of budgets on men and women and girls and boys. Gender budgeting entails analyses of revenue and expenditure impacts so as to avoid or correct gender imbalances.
Gender discrimination	Differential treatment to individuals on the grounds of gender.
Gender division of labour	Different work roles assigned by society to men and women. For example, women tend to be engaged in unpaid domestic work, low pay, low status and informal sector jobs, while men tend to be employed in higher paid and formal sector work.
Gender equality	The absence of discrimination on the basis of one's sex in the allocation of resources or benefits or in access to services.
Gender equity	Fairness and justice in the distribution of benefits and responsibilities between men and women
Gender Gap	A difference in any aspect of the socio-economic status of women and men, arising from the different social roles ascribed by society for women and men.
Gender Issues/Concerns	A gender issue/concern arises when there is a discrepancy, discrimination and injustice.
Gender Indicator	An indicator that captures gender-related changes in society over time and in relation to a norm (Beck, in Taylor, 1999).
Gender Mainstreaming	The process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all the areas and at all levels. It is a strategy for making women's and men's concerns and

experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality (ECOSOC, July 1997).

Gender Neutral	The assumption that policies, programmes and project interventions do not have a gender dimension and therefore affect men and women in the same way. In practice, policies intended to be gender neutral can be gender blind,
Gender Policy	An organisation's policy that integrates gender in the mainstream of its programme and activities, where the policy also designates institutional arrangements, responsibilities, management functions and tools/guidelines for mainstreaming.
Gender Relations	Relations between men and women in terms of access to resources and decision-making and the relative positions of men and women in the division of resources, responsibilities, benefits, rights, power and privileges.
Gender Sensitivity	A mind-set where people recognise or are aware of gender based discrimination which hinders enjoyment of human rights. It is an understanding and routine consideration of the social, cultural and economic factors underlying discrimination based on sex.
Gender Stereotyping	Constant portrayal in the media, the press or in the education system, of women and men occupying certain roles according to the socially constructed gender division of labour and expectations in behaviour (African Development Bank, <i>The Gender Policy</i> ).
Gender Systems	Systems which define attributes, ways of relating, hierarchies, privileges, sanctions and space in which men and women are organised. In most communities in Africa, women are dominated by men via patriarchal power, that has been a traditional and indeed a historical privilege for men.
Gender Training	The provision of formal learning experiences and skills in order to increase gender analysis and awareness skills, which serve to recognise and address gender issues in the programming process. Training can include the three dimensions of: a) political-introducing gender concepts and analysis; b) professional-providing staff with "how-to" skills; and c) personal- challenging an individual's gender attitudes and stereotypes.

Sex	The biological state of being a male or female. Sex is not equal to gender.
Women's Empowerment	This address discrimination and oppression against women by devising programmes and strategies that increase women's capacities, opportunities, access and understanding of their human rights, create conditions for them to become agents of their own development and be able to find sustainable solutions for change at personal, family and civil society levels. Women can then contribute to the reduction of poverty, improve nutrition and seek health care, monitor child survival, prevent HIV/AIDS, stop harmful cultural practices and go to school freely without coercion



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