



VIHIGA COUNTY
DEPARTMENT OF GENDER, CULTURE, YOUTHS, SPORTS,
CHILDREN AND SOCIAL SERVICES

SEXUAL AND GEDNER BASED VIOLENCE POLICY 2023

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Forward

This Vihiga County Sexual Gender Based Violence Policy is based on the 2010 Kenyan Constitution, which outlines the values of gender equality that govern the conduct of both public and private organizations as well as individuals. Sexual and gender-based violence against women and girls is a major violation of human rights in the country. Abuse can take various forms, including physical, sexual, psychological, and economic, and can occur regardless of age, color, culture, status, or geography. It occurs in several settings, including homes, neighborhoods, schools, workplaces, and farm fields. One of the most pervasive human rights violations in the nation is the abuse of women and girls according to their sexual orientation or gender. It transcends age, color, culture, money, and location and can involve physical, sexual, psychological, and financial abuse. It happens in homes, on streets, in workplaces, in schools, and in agricultural areas.

Various legislative and policy instruments exist at national, regional, and international levels to protect women, girls, and vulnerable individuals against sexual and gender-based violence (SGBV). Various legislation and policy tools are in place at the national, regional, and international levels with the aim of safeguarding women, girls, and others who are vulnerable from sexual and gender-based violence. As a portion of Kenyan territory, Vihiga County is governed by all laws and regulations, including those to which Kenya is a contributor on a regional and international level. These tools complement the transformative framework that this policy aims to implement in order to address sexual and gender-based violence.

In combination with other laws currently in effect, the policy should strengthen them. Together with other laws currently in effect, the policy should strengthen them. The goal of Vihiga County is to create and promote any initiatives and programs that empower the SGBV survivors within the county. In addition to violating human rights, gender-based violence hinders productivity, depletes human capital, and threatens the county's ability to thrive economically.

A comprehensive response to the rising rates of sexual and gender-based violence in the County will be facilitated by the strengthened mechanisms and strategies that improve accountability, coordination, monitoring, and evaluation for long-term programs and projects addressing sexual and gender-based violence. These will be strengthened through partnerships.

This Policy was developed through an interactive process involving all stakeholders in strategies against sexual and gender-based violence, including government departments, non-governmental organizations and implementation partners. It aims to raise awareness, advocate for adequate budgetary allocation, provide survivors with essential services, and strengthen data collection systems.

Hon. Meshack Mulongo Onzere
County Executive Committee Member
Department of Gender, Culture, Youth, Sports, Children & Social Services

Acknowledgment

This Sexual and Gender Based Violence policy has been prepared through a participatory process involving Gender sector and technical working group consisting of State and Non-State Actors in Vihiga County. The Department of Gender, Culture, Youth, Sports, Children & Social Services wishes to express gratitude and appreciation to the Governor of Vihiga County, H.E. Dr. Wilber Ottichilo and H.E The Deputy Governor, Wilberforce Kitiezo for their continued support and dedication to eliminating sexual and gender-based violence and ensuring a safe environment for all. Under the admirable direction of their County Executive Committee Members, I would especially want to thank the employees of the Department of Gender, Culture, Youth, Sport & Social Services and the Department of Health Services for their invaluable dedication and contributions.

We acknowledged the support from various partners. The development of this policy framework would not have been feasible without the financial and technical assistance from USAID Nuru Ya Mtoto, Kisumu Medical and Education Trust (KMET) IRODO, Access to Medicine Platform, Echo Network Africa (ENA) among other partners.

It is my belief that the Department will be able to prevent and effectively respond to SGBV cases within the County based on this policy, thereby creating a secure environment for all County citizens. To those not mentioned here but contributed in one way or the other to the production of this policy I salute you.

Acronyms and abbreviations

- SGBV-Sexual Gender Based Violence
- SGBV-Gender Based Violence
- WHO-World Health Organization
- IPV-Intimate Partner Violence
- M&E-Monitoring and Evaluation
- UN-United Nations
- HIV-Human Immunodeficiency Virus
- KDHS-Kenya Demographic Health Survey
- NCRC-National Crime Research Centre
- MSA-Multi-Sectorial Approach
- DNA: Deoxyribonucleic Acid
- GTWG-Gender Technical Working Group
- VACS: Violence Against Children Survey
- NPS: National Police Service
- PWD: Persons with Disabilities
- MTP: Medium Term Plan
- UHC: Universal Health Care
- ODP: Office of Director of Public Prosecution
- SRHR: Sexual Reproductive Health Rights
- FGM/C: Female Genital Mutilation/Cutting
- PADV: Protection Against Domestic Violence
- NCPWD: National Council for Persons with Disabilities
- SDG: Sustainable Development Goals
- CIDP: County Integrated Development Program
- WEF: Women Enterprise Fund
- YEDF: Youth Enterprise Development Fund
- CPVs: Child Protection Volunteers
- CHVs: Community Health Volunteers
- CBOs: Community Based Organizations
- IDPs: Internally Displaced Persons
- NGAFF: National Government Affirmative Action Fund
- UNHCR-United Nations High Commission for Refugees.
- CEDAW-Convention on the Elimination of all of Discrimination against Women.
- OHCHR: Office of the United Nations High Commissioner for Human Rights

Definitions of terms

Child: An individual who has not attained the age of eighteen (18) years as per the Kenya Constitution 2010.

Adolescent: An individual aged between 10-19 years as defined under National Adolescent Sexual and Reproductive Health policy 2015

Child marriage: Marriage of a girl or boy before the age of 18 and refers to both formal and informal unions in which children live as if they were married.

Inhuman treatment: A cruel act; a deliberate infliction of pain and suffering, cruelty, abuse, ill treatment, maltreatment as defined by the UNHCR Convention by General Assembly resolution of 1984.

Harmful Practices: All behavior, attitude and/or practices which negatively affect fundamental rights of people- health, dignity, education and physical integrity as defined by CEDAW Convention 1979 and ratified by 1995.

Multi-sectorial Approach: A holistic inter-organizational and inter-agency effort that promote participation of people of concern.it involves cooperation, collaboration and coordination across key sectors including but not limited to health, community, security, legal justice and psychosocial systems.

Sexual and Gender Based Violence: Actual, attempted or threatened (vaginal, oral or oral) it includes defilement, rape, marital rape, sexual exploitation, child marriage, forced prostitution, transactional/ survival sex and sexual harassment, intimidation and humiliation.

Safe House: Residential facility providing short term intervention for victims of SGBV in crisis. The intervention includes meeting basic needs as well as providing support, counseling and skills development.

Survivor/victim: An individual who suffers injury, loss or damage as a consequence of an offence; it is also defined under Section 2 of the Victims Protection Act.

Policy: Statement of intent with a set of principles to guide decision making

Society: A group of people living together in a community

Marriage: A union of two adults as partners with an intention of siring and raising of children

Culture: The ideas, customs and social behavior of a particular people or society

Widow: A woman in marriage whose husband has died.

Custom: A traditional way of behaving or doing something that is specific to a particular society.

Human Trafficking: According to the OHCHR, Human trafficking generally refers to the process through which individuals are placed or maintained in an exploitative situation for economic gain, e.g. for labor, exploitative sex or forced marriage.

Intimate partner: An individual one is indulged with sexually or was in a sexual

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CHAPTER ONE: INTRODUCTION

1.1 Introduction

Gender based Violence is a serious global health, human rights, and development issue. It is a unwanted sexual behaviors that goes beyond race, culture, class, and religion, touching virtually every community in every corner of the globe. Gender Based Violence (SGBV) has been defined as any act of violence that results in physical, sexual or psychological harm or suffering, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life Perreault,S.(2020).

Sexual Gender Based Violence (SGBV) is a form of gender-based violence and encompasses any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts of traffic, or otherwise directed against a person's sexuality using coercion by any person regardless of their relationship to the victim in any setting. Sexual violence takes many forms and includes sexual abuse, rape, and defilement, forced pregnancy, trafficking for purposes of sexual exploitation, forced prostitution, forced sterilization, castration, sexual enslavement and forced circumcision.

Globally, a list of priority issues was adopted by the Beijing Declaration and Platform for Action (BPFA) of 1995, to which Kenya ascribed to. The United Nations (UN) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) forbids sex discrimination, which includes SGBV. State Parties to the UN Convention on the Rights of the Child are obligated to safeguard children against sexual abuse and other types of violence, neglect, or exploitation. According to the UN Declaration on the Elimination of Violence Against Women, violence against women is a violation of their fundamental rights and freedoms.

In addition, the African Union (AU) enacted the Maputo Protocol in 2003, which Kenya later ratified as an addendum to the African Charter on Human and Peoples' Rights (ACHPR) addressing the rights of women in Africa. Article 4 of the Protocol is specifically devoted to the issue of violence against women, and it calls for a variety of state responses to violence that occurs "in private or in public spaces," including the prosecution of offenders, the identification of the root causes of such violence, and the provision of services for survivors.

Kenya has been at the forefront of championing the elimination of SGBV and its efforts were boosted by the promulgation of the Constitution 2010. Article 29 of the 2010 constitution prohibits all forms of violence and upholds values like individual freedom and safety. The Sexual Offences Act (SOA), passed in 2006, guarantees everyone's protection from injury and sexual

assault as well as their access to justice, medical and psychosocial support. The Protection Against Domestic Violence (PADV) Act, 2015 also offers relief and protection against domestic violence for family members. The Education Gender Policy, published in 2007, targets gender-based violence prevention and intervention in schools.

Data from KDHS 2022 indicate that married women are more prone to SGBV than the unmarried; with those divorced/separated/widowed having suffered the most form of SGBV in their lifetime than the currently married. Moreover, the Kenya Violence Against Children Survey(2019) indicates that violence against children is a serious problem in Kenya . Generally, SGBV has long lasting effects on survivors, perpetrators, families, communities and nations.

1.2 Impact of SGBV on Individuals and Communities

SGBV seriously impacts survivors' immediate sexual, physical and psychological health, and contributes to greater risk of future health problems. Possible sexual health effects include unwanted pregnancies, complications from unsafe abortions, and sexually transmitted infections, including HIV. Possible physical health effects of SGBV include injuries that can cause both acute and chronic illness, impacting neurological, gastrointestinal, muscular, urinary, and reproductive systems. These effects can render the survivor unable to complete otherwise manageable physical and mental labour. Possible mental health problems include depression, anxiety, harmful alcohol and drug use, post-traumatic stress disorder and suicidality.

Survivors of SGBV may suffer further because of the stigma associated with SGBV. Community and family ostracism may place them at greater social and economic disadvantage. The physical and psychological consequences of SGBV can inhibit a survivor's functioning and well-being—not only personally but in relationships with family members. The impact of SGBV can further extend to relationships in the community, such as the relationship between the survivor's family and the community, or the community's attitudes towards children born as a result of rape. In addition, some male victims may face the risk of being counter-prosecuted under sodomy laws if they report sexual violence perpetrated against them by a man.

SGBV can affect child survival and development, increasing infant mortality rates, lowering birth weights, contributing to malnutrition and affecting school participation. It can further result in specific disabilities for children: injuries can cause physical impairments; deprivation of proper

nutrition or stimulus can cause developmental delay; and consequences of abuse can lead to long-term mental health problems.

LEVEL	CAUSES	CONTRIBUTING FACTOR
Society-Level Contributing Factors	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Impunity, including lack of legal framework and/or criminalization of forms of SGBV, or lack of awareness that different forms of SGBV are criminal Hyper-masculinity; promotion of and rewards for violent male norms/behavior • Absence of security and/or early warning mechanisms • Lack of inclusion of sex crimes committed during a humanitarian emergency into largescale survivors’ reparations and support programmes (including for children born of rape) • Economic, social and gender inequalities • Lack of meaningful and active participation of women in leadership, peacebuilding processes, and security sector reform • Lack of prioritization on prosecuting sex crimes; insufficient emphasis on increasing access to recovery services; and lack of foresight on the long-term ramifications for children born as a result of rape, specifically related to stigma and their resulting social exclusion • Failure to address factors that contribute to violence such as long-term internment or loss of skills, livelihoods, independence, and/or male roles
Community-Level Contributing Factors	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Lack of safe shelters for women, girls and other at-risk groups Poor basic services delivery and infrastructure • Lack of access to education for females, especially secondary education for adolescent girls • Lack of training, vetting and supervision for humanitarian staff • Lack of economic alternatives for affected populations, especially for women, girls and other at-risk groups

		<ul style="list-style-type: none"> • Breakdown in community protective mechanisms and lack of community protections/ sanctions relating to SGBV • Lack of reporting mechanisms for survivors and those at risk of SGBV, as well as for sexual exploitation and abuse committed by humanitarian personnel • Lack of accessible and trusted multi-sectoral services for survivors (health, security, legal/justice, mental health and psychosocial support) • Absence/under-representation of female staff in key service provider positions (health care, detention facilities, police, justice, etc.) • Inadequate housing, land and property rights for women, girls, children born of rape and other at-risk groups • Presence of demobilized soldiers with norms of violence • ‘Blaming the victim’ or other harmful attitudes against survivors of SGBV • Lack of confidentiality for SGBV survivors • Community-wide acceptance of violence • Lack of child protection mechanisms • Lack of psychosocial support service providers
<p>Individual/FamilyLevel Contributing Factors</p>	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Lack of basic survival needs/supplies for individuals and families or lack of safe access to these survival needs/supplies (e.g food, water, shelter, cooking fuel, hygiene supplies, etc.) • Gender-inequitable distribution of family resources • Lack of resources for parents to provide for children and older persons (economic resources, ability to protect, etc.), particularly for woman and child heads of households • Lack of knowledge/awareness • Harmful alcohol/drug use • Age, gender, education, disability • Family history of violence • Witnessing SGBV

Many of these effects are hard to link directly to SGBV because they are not always easily recognizable by health and other providers as evidence of SGBV. This can contribute to mistaken assumptions that SGBV is not a problem. However, failure to appreciate the full extent and hidden nature of SGBV—as well as failure to address its impact on individuals, families and communities—can limit societies’ ability to heal from humanitarian emergencies.

1.3 Causes and Contributing Factors of SGBV

Integrating SGBV prevention and mitigation into the County’s interventions requires anticipating, contextualizing and addressing factors that may contribute to SGBV. Examples of these factors at societal, community and individual/family levels are associated with attitudes, beliefs, norms and structures that promote and/or condone gender-based discrimination and unequal power, whether during emergencies or during times of stability. Linking SGBV to its roots in gender discrimination and gender inequality necessitates not only working to meet the immediate needs of the affected populations, but also implementing strategies as early as possible that promote long-term social and cultural change towards gender equality. Such strategies include ensuring leadership and active engagement of women and girls, along with men and boys, in community-based groups; conducting advocacy to promote the rights of all citizens; and enlisting females in all interventions, including in positions of leadership

Causes and Contributing factors to SGBV

The impacts of such violence extend far beyond the individual survivors, affecting households and communities, and spanning across generations. The effects of violence experienced by women, such as intimate partner violence (IPV), are felt at the individual, family, and community levels. Consequences of violence include increased risk for suicide, mental issues, loss of life, drug and substance abuse, as well as negative impacts on human development outcomes. The unequal system of patriarchy governs various aspects of Kenyan society. SGBV is commonly an act of patriarchy. It is perpetrated by persons who wish to exercise power and control over their victims. These perpetrators can be anyone, from family members, intimate partners, acquaintances, strangers or institutions.

According to Medical experts at Moi Teaching and Referral Hospital Centre for Assault recovery-Eldoret (CAR-E) physical abuse leads to pregnancy complications like miscarriage, placental abruption, premature delivery, low birth weight and fetal or infant death. Non-pregnancy complications seen include fractures and head injuries which can ultimately result in death.

Effects of sexual abuse on reproductive health includes; STIs, HIV/AIDS, unwanted pregnancies, unsafe abortion, urinary tract infections, pelvic inflammatory disease, infertility and genital injuries including obstetric fistula. Psychological impact of SGBV can have devastating results on the wellbeing of the mother, not only in the period surrounding pregnancy, but even years later. Immediately after birth, bonding and attachment between parent and child may be impaired. The mental health of the mother is also affected, with a noted predisposition to depression, anxiety, post-traumatic stress disorder, eating problems, sleep disturbances and sexual dysfunctions.

Effective protection can be established only by preventing SGBV, identifying risks and responding to survivors using a coordinated multi-sectoral approach. The present protection environment in Kenya is fraught with challenges and filled with opportunities, which should be carefully considered when devising responses. Whereas the Kenyan legal framework provides a mechanism for addressing SGBV, the levels to which the frameworks respond to the plight of the survivors of SGBV is debatable. The legal and policy framework mostly focuses on bringing of the accused person to 'justice' without a corresponding obligation of alleviating the conditions of the survivor of SGBV. In fact, the survivor of SGBV is more of an alien to the criminal justice system because the offence is perceived by the system to have been committed against the state.

Generally, the commitment to addressing SGBV has advanced more quickly in policy documents than in practice. The dedication to combating all types of SGBV calls for specialists' attention as well as sufficient frameworks, which is supported by the Global Call to Action. The creation and implementation of this policy will help the entire society combat SGBV and foster a peaceful atmosphere for everybody.

The County Government of Vihiga seeks to develop legislation and policy frameworks to enhance execution and implementation.

The County government of Vihiga, partners and stakeholders are committed to the elimination of all forms of Sexual and Gender Based Violence, nevertheless, all acknowledge that cases of SGBV

are on the increase and lay out various strategies to reduce its prevalence. It remains a negative phenomenon in our society and presents serious multi-faceted challenges. A number of interventions have been undertaken to promote gender equality and women empowerment in achieving Sustainable Development Goal (SDG5) that focuses on historical disadvantages women and girls have endured as well as identifying men and boys as strategic allies in transforming the factors causing the disparities. According to the Vihiga County CIDP2018 – 2022, the following achievements were realized under the period of review; coordination and harmonization of the gender responsive interventions, gender mainstreaming in all spheres of County Development and other women empowerment interventions including increased share of women in employment positions.

1.4 Rationale

SGBV is a grave human rights violation that cause long-term and life-threatening harm to victims. It affects all aspects of a person’s protection and well-being. It includes physical, sexual and psychological violence perpetrated or condoned within the family, the general community or by the State and its institutions. It violates the fundamental right to life, liberty, security, dignity, nondiscrimination, physical and mental integrity, and is therefore a direct breach of the Constitution of Kenya 2010. At the social level SGBV often results into breakdown of the family unit and disintegration of the society. It further lays an economic burden on the county and governments in terms of increased spending on health care, social services, civil and criminal justice system, absenteeism from work, low productivity and output. SGBV creates an unequal political environment in which all those affected are denied the opportunity to participate in decision making for development. Other hurdles include biased socio-cultural attitudes, beliefs and behaviors that perpetuate negative stereotypes, discrimination and gender inequality; ineffective law enforcement; limited resource allocation to SGBV interventions; and ignorance of existing SGBV laws and policies.

According to Kenya Demographic and Health Survey (KDHS), 2022 there is high prevalence of SGBV in Vihiga affecting both sexes while women and girls are disproportionately afflicted. There is mounting evidence that the elderly, PWDs, youths, orphans, and children are the most susceptible to SGBV with minimal cases of violations reported against men

The policy will contribute to Vihiga County's efforts to sustainable short-term and long-term change in identification, prevention, reporting, response, access to justice, reintegration of survivors and the management of SGBV cases. It also calls for the inclusion of the family, community, state and non-state actors in the implementation of laws and policies that will strengthen SGBV prevention and management programmes in the county.

1.5 Goal

To accelerate and reinforce efforts towards elimination of SGBV and improve the quality of life and wellbeing of every person in Vihiga County by 2033.

1.6 Policy statement

The County Government of Vihiga commits to put in place a multi-sectorial mechanism and legal framework to enhance prevention, response and management of SGBV.

1.7 Scope of the Policy

The policy will offer a framework for establishing a protective environment, employ comprehensive response, mitigation and management of SGBV within Vihiga County in a coordinated multi-sectoral approach. An implementation framework will provide details regarding specific roles, strategies, activities and indicators for effective implementation and tracking of progress made. This policy will remain in force for a period of 10 years. The Policy will apply to state and non-state actors, all County Departments and Agencies.

The Policy shall provide the direction towards the elimination of SGBV and also improve the quality of life and well-being of all persons through the development of well coordinated multi-sectoral approach towards protection, prevention and response mechanisms and sufficient resources allocated.

1.8 Purpose

This policy shall put in place a framework to accelerate and reinforce the implementation of laws, policies and programmes for prevention and response to SGBV by the family, community, state and non-state actors for the realization of a society all are free from all forms of violence.

1.9 General objective

The policy's overall objective is to eradicate SGBV through a multi-sectoral strategy that will promote prevention, protection, and coordinated action to improve access to justice and well-being for all in a supportive and a transformative environment.

Specific objectives

1. To implement SGBV prevention and management programs, laws and policies in Vihiga County
2. To develop SGBV response mechanisms with appropriate interventions by relevant actors in Vihiga County
3. To mobilize resources towards prevention, prosecution, rehabilitation, reintegration and reparation.
4. To develop and strengthen strategies that will enhance accountability, coordination, monitoring, and evaluation for sustainable SGBV programs
5. To strengthen access to Justice and implementation framework

Guiding Policy Principles

- I. Human rights based approach
- II. Laws and regulations advancing human rights development and prohibition of SGBV.
- III. Public participation, accountability.
- IV. Affirmative action for the groups.
- V. Confidentiality of survivors/victims and their families.
- VI. Respect for diversity as well as non-discrimination in SGBV legislation, policies, and initiatives.
- VII. Uphold gender equity and equality in county development and service delivery
- VIII. Reparation and economic empowerment.
- IX. Public participation and social mobilization approach
- X. Multi-sectoral approach and collaboration
- XI. Witness protection mechanism
- XII. Evidence based approach which focuses on using factual and timely data to inform policy formulation and programming
- XIII. Preventive Approach**

Policy Development process

This policy was developed through a consultative process that involved various SGBV state holders including community, civil society and various departments within county government of Vihiga. It has been subjected to extensive stakeholders' consultation and validation.

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CHAPTER TWO: SITUATION ANALYSIS

2.1 Introduction

Gender-based violence has been acknowledged worldwide as a violation of basic human rights. Research has highlighted the health burdens, intergenerational effects, and demographic consequences of such violence (United Nations 2006). Gender-based violence is defined as any act of violence that results in physical, sexual, economic, or psychological harm or suffering to women, girls, men, and boys, as well as threats of such acts, coercion, or the arbitrary deprivation of liberty.

Sectorial reports indicate that violence against women is the most widespread and socially tolerated of human rights violations, cutting across borders, race, class, ethnicity and religion.

SGBV is particularly disturbing phenomenon which exists worldwide. Kenya and in particular Vihiga County is not an exception to this form of brutality which negatively affects mainly women and girls.

According to KDHS 2022, 34% of women and 17% of men have experienced some form of physical violence since age 15. Furthermore, 13% of women and 7% of men reported to have experienced sexual violence in their lifetime. The survey showed that violence increases with two main factors; increasing age and marital status among other socio-economic factors.

The National Crime Research Centre (NCRC 2020) report indicated that Vihiga county had experienced Gender Based Violence and defilement incidences that were way above national rates (61.8% and 40.8% against 45.4% and 31.3% respectively).

2.2 Forms and Prevalence of Gender Based Violence

National data

Experiences of different forms of violence: Women

The following table presents percentage of women aged 15-49 who have ever experienced different forms of violence by current age, Kenya 2014.

Age	Physical violence only	Sexual violence only	Physical and sexual violence	Physical or sexual violence	Number of women
15-19	28.1	3.1	3.4	34.7	1009
15-17	29.5	2.5	2.3	34.3	639
18-19	25.8	4.2	5.4	35.4	371
20-24	34.3	3.0	9.6	46.9	1065
25-29	34.9	2.0	12.9	49.8	1176
30-39	32.9	2.8	14.7	50.3	1492
40-49	36.6	2.1	15.4	54.2	916

Total	33.3	2.1	11.5	47.4	5657
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KDHS 2014

Experiences of different forms of violence: Men

The following table presents percentage of men aged 15-49 who have ever experienced different forms of violence by current age, Kenya 2014.

Age	Physical violence only	Sexual violence only	Physical and sexual violence	Physical or sexual violence	Number of men
15-19	40.3	0.8	1.9	43.0	950
20-24	43.2	1.2	2.9	47.3	836
25-29	39.8	3.0	5.4	45.2	837
30-39	38.1	1.9	6.1	46.0	1242
40-49	40.0	0.6	4.9	45.6	830
Total	39.5	1.5	4.4	45.4	4695

Vihiga County SGBV outlook compared to the National figures

Perceived Crimes	2020	
	County Percentage	National Percentage
Rape	7.9	19.9
Gender-Based Violence (Including Domestic Violence)	61.8	45.4
Defilement	40.8	31.3
Child Abuse (including child neglect)	14.5	26.9

Source: National Crime research Centre (2020)

Further data from the KHIS show increasing incidences of SGBV through 2021 and 2022 both at the county and National levels as shown with the county having more than double reported survivors over a period of 1 year.

Survivors/Year	Vihiga	Kenya
2021	587	39,065
2022	1,279	59,715

Source: KHIS

In Vihiga county, Luanda Sub County has borne the biggest brunt of SGBV cases over the two-year period with 169 and 471 reported survivors in 2021 and 2022 respectively while Emuhaya sub county had the least incidences at 33 and 52 respectively.

	Emuhaya	Hamisi	Sabatia	Luanda	Vihiga
2021	33	134	208	169	43
2022	52	131	295	471	175

2.2.1 Teen pregnancies

KHIS (2021) data indicates that teenage pregnancy between ages 10-14 was 0.48% as compared to the national rate 1.4%. Teenage pregnancies between age 15-19 was at 26.4% compared to the national which was at 19%. In 2022 teenage pregnancies between age 10-14 and 15-19 were 0.43% and 22.7% respectively as compared to the national rate which was 0.89% and 16.6% respectively which implies that there was a reduction in number of teenage pregnancies in the county as shown below:

Year	Vihiga County		Kenya	
	10-14	15-19	10-14	15-19
2021	0.48%	26.4%	1.4%	19%
2022	0.43%	22.7%	0.89%	16.6%

Source: KHIS

2.2.2 Sexual Violence

Sexual violence is a serious public health and human rights concern in Kenya; It affects men and women, boys and girls and has adverse physical and Psycho-social consequences on the survivors, it is the leading form of SGBV in Vihiga County.

Results from KDHS 2022 also indicate that 13% of women reported that they had experienced sexual violence at some point in their life while 7% of men also reported to have experienced sexual violence in their lives. By county, the percentages of women who have experienced sexual violence are highest in Bungoma (30%), Murang'a (24%), Homa Bay (23%), and Embu (22%). In Vihiga 11.9% women reported to have undergone sexual violence.

Sexual violence and its attendant consequences threaten the attainment of global development goals contained in the Sustainable Development Goals and Kenya's Vision 2030 as well as the Kenya health policy (2014 – 2030) as it affects the health and wellbeing of the survivors. There is emerging evidence worldwide that Sexual Violence is a major risk factor contributing towards vulnerability to HIV infections.

2.2.3 Physical Violence

Physical violence is prevalent in Kenya especially against women. The KDHS 2022 survey indicates that 34% of women and 27% of men age 15-49 had experienced physical violence since age 15. This data further revealed that experience of physical violence differs by background characteristics. It increases by age from 20% among women age 15-19 to 42% among those aged 45-49.

In Vihiga County, reported assault cases are high at 36.8% compared to the national average of 34.9%, NCRC 2020. According to KDHS 2022, the main perpetrators of physical violence against women are current intimate partners and close relatives.

2.2.4 Domestic Violence

Domestic violence refers to acts committed by a family or household member against another such as spousal or child abuse. It is a pattern of abusive behavior in any relationship that is used by one partner to gain control over another intimate partner. It includes physical, sexual, emotional, psychological and economic violence.

According to UNIFEM report (2022), domestic violence stands out as one of the most prevalent forms of SGBV; violence occasioned by male partners in relationships amounts to 70% of reported cases; wife battering occurs regularly in 85% of all cultures. This implies that domestic violence is a prevalent form of SGBV. This is further supported by a study conducted by WHO in 2021 which suggested that SGBV was widely prevalent in each of the Sub-Saharan States owing to the manifest cultural practices with weak legislative frameworks.

2.2.5 Harmful Cultural Practices

Harmful cultural practices such as child marriages, forced marriages, widow eviction, widow cleansing and widow inheritance are practiced.

2.2.6 Emotional and psychological violence

Emotional and psychological violence has been mostly overlooked by actors because of its personal or private nature. It includes practices such as confinement, controlling socialization, unfaithfulness, emotional abuse among others. The KDHS 2014 indicates that the main controlling behaviors women experienced from their husbands was jealousy or anger if they talked to other men (53%) and insisting on knowing where they are always (41%). For men, the main controlling behaviors experienced from wives was jealousy or anger if they talked to other women (58%) and insisting on knowing where they were at all times (43%). 44% of husbands and 53% of wives in western region control their spouses movements respectively. Emotional violence is more prevalent in Western (46%) followed by Nyanza at 40%. This type of violence precipitates the other forms of violence and is therefore a strategic type to focus on to realize prevention goals.

2.2.7 Child Abuse

In Vihiga County child abuse is prevalent in the mining areas (Muhudu, Shaviringa, Viyalo, Lyaduywa) in these mining areas children as young as 12 years are engaged in mining activities against employment act. Children are also abused when engaged in building stones and ballast mining. Concerted efforts is needed to address the child labour in Vihiga County. Other forms of child abuse include: engagement of children in Boda boda business, engagement of underage children as house helps in which children in Vihiga County are trafficked to major urban centres to be engaged as house helps with minimal or no payment at all

2.2.8 Intimate Partner Violence (IPV)

IPV is a pattern of abusive behavior in any intimate relationship that is directed towards a current or former spouse, boyfriend or girlfriend. Intimate Partner Violence can be physical, emotional, economic, or sexual in nature. According to KDHS (2022), 3% of women who have never been married and never had an intimate partner report sexual violence as compared with 12% of never married women who ever had an intimate partner, 13% of currently married women, and 27% of formally married women.

2.3 Legislative and Policy Frameworks

Pursuant to Article 2(5) and (6) of The Constitution of Kenya 2010, all international and regional legislative and policy frameworks adopted and ratified by Kenya become part of the domesticated laws of Kenya.

Further, Article 21 (4) imposes on the State the obligation to enact and implement legislation to fulfill its regional and international obligations to respect, promote and protect human rights and fundamental freedom.

2.3.1 International Legislation

Kenya has ratified various international treaties and regional conventions on elimination of SGBV and gender inequality including:

The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW, 1979).	Bestows responsibility on state parties for acts and omissions by its organs and agents that constitute gender-based violence against women. It further requires State parties to prevent these acts or omissions through training, adoption, implementation and monitoring of legal provisions, administrative regulations and codes of conduct, to investigate, prosecute and apply appropriate
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	legal or disciplinary sanctions as well as provide reparation in all cases of gender-based violence against women
The United Nations Declaration on the Elimination of Violence against Women (1993)	Article 4 (c) of the Declaration obligates states to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons.
Guidelines on Combating Sexual Violence and its Consequences in Africa-Niamey Guidelines by the African Union(2017)	These guidelines provide guidance for African Union member states in effectively implementing their commitments and obligations to combat sexual violence and its consequences. States are further obligated to put in place prevention mechanisms to eliminate the root causes of violence and protection mechanisms to ensure all victims receive the required support including medical, access to justice and reparations.
The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa of 2003 (Maputo Protocol)	Article 4 prohibits all forms of exploitation, cruel, inhuman or degrading Punishment and treatment including sexual violence and is obligated to set up both protection and promotion mechanisms to ensure the prohibition of all forms of violence against women including unwanted or forced sex, and ensure the prevention, punishment and eradication of all forms of violence against women. Kenya has ratified the Protocol but has however made reservation on Article 14 2 (c) of the Maputo Protocol which allows for abortion in cases of sexual violence.
The Convention Against Torture (CAT) of 1984	Under CAT, Kenya has an obligation to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.
Rome Statute of 1998	Article 7 lists “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity” under crimes against humanity.
UN Resolution 1325 (2000)	Affirms the importance of the participation of women and the inclusion of gender perspectives in peace negotiations, humanitarian planning, peacekeeping operations and post-conflict peacebuilding and governance.
UN Security Council Resolution 2250: Youth, Peace and Security	It reaffirms the necessity and obligation to protect civilians, making specific reference to young people, during armed conflict and in post-conflict context, and in

	particular to protect them from any form of sexual or gender-based violence.
The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	The convention provides for the obligation of all states to take effective legislative, judicial and other measures to prevent SGBV as an act of torture. The convention also provides that the state will ensure the victims of SGBV are accorded the right to an enforceable fair and adequate compensation.
The United Nations Convention on the Rights of Child (CRC, 1989)	The treaty provides for the rights of children to be protected from violence, abuse or neglect
The Beijing Platform for Action (1995)	It is a treaty that advocates for gender equality and therefore it is the responsibility of Vihiga county to realize women's and girls' rights as human rights.
The Universal Declaration of Human Rights (UDHR, 1948)	It's a treaty that advocates that human beings are born free and equal in dignity and rights
The International Covenant on Civil and Political Rights (ICCPR, 1976)	Article 7 of the treaty guarantees the freedom from inhuman and degrading treatment or punishment.
REGIONAL LEGISLATION	
EAC, African agenda 2063	The treaty recognizes that the most prevalent form of SGBV is sexual violence in conflict which includes rape and sexual assault.
East African Community Child Policy 2016	The policy recognizes the need to promote child rights, child protection and child well-being. The policy defines child labour as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development, including work that interferes with their schooling while Child work as age appropriate, non-harmful tasks done by children, and which need not be remunerative.

2.3.2 National Legislation.

The Constitution of Kenya, 2010 recognizes important principles that guide gender equality and that have a general bearing on gender-based violence within the Country.

Article 10 (2) (b)	Sets out the national values and principles of governance to include, among others, human dignity, equity, social justice, inclusivity, equality, human rights, non-discrimination and the protection of the marginalized.
Article 19 (2)	Presupposes the importance of recognizing and protecting human rights and freedoms to preservation of the dignity of individuals and communities and the promotion of social justice and the realization of the potential of all human beings.

Article 21	Imposes an obligation on the State to enact and implement legislation to protect and promote human rights and freedoms. In that regard Kenya has enacted Acts and policies that safeguard the prevention and penal consequences of SGBV.
Article 22	This Article empowers the victims of SGBV to institute court proceedings claiming that their rights under the bill of rights i.e to human dignity has been denied, violated or infringed or is threatened.
Article 23	This Article places an obligation on the Courts to uphold and enforce the Bill of Rights.
Articles 25(a), 29(d) and (f)	Prohibit any form of torture or treatment that is cruel, inhuman and degrading from either public or private entities. This means that the Constitution safeguards women's rights against sexual violence.
Article 27	Provides for equal protection of both women and men before the law and in all spheres of life. It prohibits any discrimination and obligates the State to take measures to address any disadvantage suffered by any individual or group because of past discrimination.
Article 28	Provides for every person having inherent dignity and the right to have that dignity respected and protected.
Article 30 (1)	States that a person shall not be held in slavery or servitude
Article 30 (2)	Provides that a person shall not be required to perform forced labour.
Article 53,54,56 and 57	Children, persons with disabilities, minorities and marginalized groups) older members of the society)- ensure fair treatment of special vulnerable groups.
Article 259	Provides that the Constitution shall be construed in a manner that advances the rule of law and human rights.
Penal Code CAP 63	Prohibits all acts of violence however it does not sufficiently address SGBV which is prevalent within the Kenyan society. SGBV, for instance, is only inferred by virtue of interpreting the vice as an assault.(Section 250, 251) There is no specific offence such as wife battery/ husband battery. The loopholes for addressing SGBV pose a challenge to the fight against the vices.
Children Act Number 19 of 2022	The Children Act makes provisions that safeguards the rights and welfare of children. The Act stipulates that all activities done on behalf of children should be in the best interest of the child. Section 22 guarantees children (both girls and boys) the right to protection from physical and psychological abuse, neglect and any other form of exploitation including sale, trafficking or abduction. As per section 23 children are protected from female circumcision, early marriage or other cultural rites, customs, or traditional practices which are harmful to the child's development. The Act also explicitly prohibits sexual exploitation of children as well as actions that expose children to torture or cruel or inhuman treatment such as circumcision or child marriages.

Victim Protection Act 2014	The Act recognizes the rights and responsibilities and the protection of dignity of victims, victim services, recognize and give effect to the rights of victims of crime.
Witness Protection Act 2006	Inclusion on witness protection programs, assessing witness inclusion in the program, protecting witness
Sexual Offences Act No. 3 of 2006	<p>Purpose is to provide for the protection of persons from harm from unlawful sexual acts and act as a deterrence by providing for minimum sentences for sexual offences.</p> <p>The Act criminalizes a wide range of behaviors including rape, sexual assault, defilement, compelled or induced indecent acts with children, adults, gang rape, child pornography, child trafficking, child sex tourism, child prostitution, exploitation of prostitution, incest by male and female persons, sexual harassment, deliberate transmission of HIV or other life threatening sexually transmitted disease, stupefying with sexual intent, forced sexual acts for cultural or religious reasons among others</p>
The Protection against Domestic Violence Act No. 2 of 2015- Provides	For the protection and relief of victims of domestic violence by empowering persons who are in a domestic relationship with another person to apply to the Court for a protection order in respect of that other person. It also provides for the protection of a spouse and any children or other dependent persons from domestic violence.
National Police Service Standing Orders (SSO), 2017	Chapter 67 of the Service Standing Orders states how the police will respond to sexual violence cases. The Standing Orders prohibit any form of sexual violence by Police Officers while on duty and places mechanism for both reporting and investigation. Specifically, a police commander who receives a report of an incident of sexual violence or harassment should respond as quickly as the circumstances of the case may require
Employment Act 2007	Section 6 defines what constitutes sexual harassment and outlaws the same. Section 6 (2) further obligates an employer who employs twenty or more employees to develop a Sexual harassment policy after consulting with its employees or their representatives.
Kenya's Vision 2030	The plan is anchored on three pillars namely economic, social and political governance. Through vision 2030 social pillar, Kenya commits to improve the quality of life for all Kenyans by targeting gender equality programmes.
Prohibition of female genital mutilation (FGM) Act 2011	The prohibition of FGM Act 2011 seeks to prevent any girl circumcision as a harmful cultural practice
Counter-Trafficking in Persons Act (2012)	Is comprehensive in defining and curbing various forms of offenses that occur in regard to human trafficking- recruiting, transporting, transferring, harboring and receiving persons for the purpose of exploitation. Harsh penalties that range from life imprisonment, on sentences, and heavy fines or both are prescribed in the Act. Victims are entitled to support and protection and are exempted from criminal liability for any offence related to any criminal act that was a direct result of being trafficked.

Matrimonial Property Act 2013	Operationalizes constitutional provisions of gender equality and non-discrimination by explicitly stating that married women have the same property rights as married men. It accords each spouse rights to property held before marriage and entitlement to marital property in accordance with contribution of each spouse
Teachers Service Commission Code of Ethics 2003	Has provisions for SGBV and penalties for the perpetrators. Section 9 (1) prohibits a public officer from engaging in sexual activity with a student regardless of whether the student consents, while subsection 2 provides that a public officer shall not make a request to, or exert pressure on a student for sexual activity or favours. Section 20 (1) prohibits a public officer from sexually harassing a member of the public or a fellow public officer. In the event of contravention of the code the TSC shall take appropriate action in accordance with the Act and other applicable laws.
National Policy on Prevention and Response to Gender based Violence 2014	Addresses gender-based Violence as well as provision of equal rights for both gender in the public and private space.
National Gender and Development Policy (2000)	Makes recommendations on diverse issues on violence including: amendments of SGBV laws, Penal Code to include gender related crimes; privacy in conducting SGBV hearings; SGBV tailored trainings on agents in the judicial system; setting up safe shelters for victims of domestic violence; and ensuring access to information.
National Adolescent Sexual and Reproductive Health Policy (2015)	It provides for mechanisms for addressing adolescents' sexual and reproductive health (SRH) needs. It recommends multifaceted approaches to adolescent SRH issue which provides for mitigation of risk factors and puts in place a safety net for early detection and prevention of SRH challenge.
National Guidelines on the Management of Sexual Violence (2014) -	Is a guiding policy framework on procedures and services for management of survivors of sexual violence and explicitly recognizes sexual violence as a serious human rights and health issue which calls for imperative attention by all concerned. Provides information on management of sexual violence in a multi-pronged manner, gives medical practitioners information on steps to be taken when treating a survivor of sexual violence, preservation of evidence for court use, issues of psycho-social support and other ethical issues related to the management of health-related problems of sexual violence
County Government Policy on Sexual and Gender Based Violence 2017	Model County policy on Sexual and Gender Based Violence (SGBV) was prepared to provide guidance to the County Governments on critical elements and considerations for Policy on SGBV
The Kenya Health Policy 2014-2030	The Kenya Health Policy 2014–2030 takes into account the objectives of devolution, which include ; Recognising the right of communities to manage their own health affairs and to further their development; Protection and promotion of the health interests and rights of minorities and marginalised communities, Promotion of social and economic development of the vulnerable.

	Some of the Key objectives of the Kenya Health Policy 2014–2030 is to reduce the burden of violence and injuries, Provide essential healthcare, Minimize exposure to health risk factors and Strengthen collaboration with private and other health-related sectors
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2.4 Swot Analysis

The SWOT analysis provides a summary of the strengths, weaknesses, opportunities and threats regarding. The focus is to develop strategies that will drive this plan; similarly, the strategies will help to identify activities to be implemented. Table 3 provides SWOT analysis for the Department.

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> - Existence of the Intergovernmental Gender sector working group. - Availability of a gender policy and other legislations at the national level. - Availability of active and vibrant CSO, media and human rights defenders’ networks. - Existence of gender desks at the police stations manned by active trained police officers. - Partners and stakeholders support in gender related interventions. - Availability of the CIDP (2022 – 2027) - Existence of devolved/affirmative funds to cushion the vulnerable groups. 	<ul style="list-style-type: none"> - Inadequate personnel and skills gap - Inadequate of funding - Gaps in the implementation, monitoring and evaluation mechanisms, systems and structures by the stakeholders - Some policies, legislation and plan at national and county level are not gender-responsive - Ineffective enforcement of various legislations. - Low legal literacy and inadequate skills, knowledge and awareness among duty bearers and the community. - Lack of harmonized County SGBV information systems - Weak coordination in reporting cases. - Inadequate gender responsive budgetary allocation. - Limited availability and access to essential SGBV services on the part of survivors.
THREATS	OPPORTUNITIES
<ul style="list-style-type: none"> - Retrogressive cultural practices and beliefs. - Lack of a harmonized gender-based strategies and frameworks. - Inadequate funding for SGBV activities - Non reporting of SGBV cases (kangaroo courts and collusion) - Challenges with the legal justice system. - Inadequate facilitation for witnesses. - Stigma among survivors of SGBV - Rampant cases of incest and resultant unwanted pregnancies. - Regular turnover of trained officers. 	<ul style="list-style-type: none"> - Political and technical goodwill from national, county government and development partners - Partnerships in the implementation of gender programmes and policies at national and county levels - Existence of the rescue center awaiting operationalization.

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| <ul style="list-style-type: none"> - Negative influence of social media. - High rates of poverty and lack of employment opportunities. - Nonexistence of a one stop SGBVRC - Lack of a government chemist in the county. | |
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2.5 Initiatives to Address Gender Based Violence in Vihiga County
National Initiatives to address SGBV

The government of Kenya has national programs in place to support SGBV efforts. These initiatives include the development of the national policy for prevention and response to gender-based violence, establishment of state department of Gender and affirmative action, construction of a SGBV rescue centre at Vokoli by NGAAF. It has also set aside the directorate of Gender Based Violence(SGBV) and Anti Female Genital Mutilation Directorates. The department makes follow ups on implementation of agreed decisions, on policy, administrative and programmatic interventions and preparation /submission of periodic reports in line with Kenya’s commitments, obligations and treaties’

Initiatives in the health sector includes the development of SGBV information management System. Under security sector there is inclusion of the Gender desk at police stations, development of a training curriculum on SGBV for police officers and continued sensitization of police officers, the national police service launching its first policy for police integrated response to SGBV.

Some multi-sectoral initiatives by the national government include inter-governmental gender sector working groups, the SGBV response centres offering comprehensive care services and the SGBV helplines; 116, 1195(HAK) and 1192. In promoting socio- economic aspects to support SGBV survivors, the government has allocated financial resources through Women Enterprise Fund (WEF), National Government Affirmative Action Fund (NGAAF), Uwezo Fund, Youth Enterprise Development Fund (YEDF). GEF commitments (2021) made during the fourth world conference on women held in Beijing 1995.The commitments were aimed at increasing the momentum of eradicating all forms of SGBV and FGN in Kenya by 2026.

County Government of Vihiga Initiatives to address SGBV

The county government of Vihiga has established various initiatives to support sexual and gender based violence programs.; These includes, a coordinating body under Gender Based Violence(SGBV) services Directorate with sub-committees, there is a county department of gender and social services with designated director gender, the Ministry of Health designated County SGBV coordinator, Capacity building of SGBV clinicians, nurses in the county, there is an active court user's forum at the sub county level.

Networks of stakeholders working on SGBV have been formed and meet periodically to share information on SGBV and conduct joint activities to combat SGBV. The National Syndemic Disease Control council constituted a triple threat committee and carried series of community dialogue on the same in addressing HIV, teenage pregnancy and gender Based Violence.

2.6 Existing and anticipated challenges on legislation and policy implementation

- Lack of harmonized SGBV data to guide county decision-making.
- Lack of and/or delayed resources to implement SGBV activities and programs in the county. Minimal prioritization to address SGBV issues.
- The absence of programs for SGBV offenders, survivors, and victims for rehabilitation and reintegration.
- Weak networking, coordination, and coherence among actors at all levels
- Limited capacity of the health, security and justice sectors to effectively respond to SGBV cases in the county. (Personnel, resources and equipment).
- Inadequate SGBV shelter/safes spaces/ gender violence recovery centers and police gender desks within the county to meet the needs of the survivors.
- Lack of public programs which builds the capacity of the public on SGBV concerns.
- Change in government structures, portfolios and personnel may hamper the implementation of the policy.
- Community SGBV support mechanisms are not appropriately supported to handle SGBV issues in the community. It also includes lack of parenting programs targeting early childhood and teenagers and their parents/guardians.
- The false belief that SGBV programs primarily target women at the expense of men and the low involvement of men in these programs

CHAPTER THREE: POLICY OBJECTIVES AND POLICY ACTION PLANS

3.1 Introduction

International human rights rules, ideas, and ideals have been established, and states are required to abide by them on national level up to county level. The Constitution of Kenya 2010 adopted the majority of the international human rights framework's proclaimed human rights principles, including those that address sexual and gender-based violence (SGBV), which is one of the main types of violation of human rights that is hoped to be eradicated. This policy is anchored on SGBV-related national, regional and international instruments. This chapter highlights Policy Objectives, and policy actions plans at the county level.

Prevention

The tremendous cost of SGBV affects all spheres of society: social, economic, and political. The County Government of Vihiga must implement steps to prevent SGBV with the goal of completely eradicating it in collaboration with stakeholders (state, non-state, and development partners). In this regard, the county administration ought to pass and put into effect legislation and guidelines that address SGBV in the county.

3.2 Policy Objective 1: To implement SGBV prevention and management programs, laws and policies in Vihiga County

Prevention programs include creating an environment to prevent SGBV, operationalize sexual harassment policy in the workplace, and reducing the vulnerability of groups at risk of SGBV, as well as management, psychosocial support, rehabilitation, and reintegration of perpetrators into the community.

Policy Direction

As a critical first step in reducing the prevalence of SGBV, the County Government of Vihiga will implement prevention through the following strategies.

- a) Reducing exposure of vulnerable groups to SGBV by:
 - ✓ Promotion of self-care programs for the protection of SGBV service providers
 - ✓ Collaboration with correctional facilities to integrate SGBV programs into their plans and operations
 - ✓ Development of safe spaces, rehabilitation, and reintegration facilities for all survivors and SGBV offenders.

- ✓ Implementing systems to identify persons and groups at high risk of SGBV
 - ✓ Establishing networks and support groups for SGBV victims and perpetrators;
 - ✓ Creating and enhancing initiatives for the economic empowerment of disadvantaged groups;
- b) Create conducive environment for SGBV prevention by:
- ✓ Sensitizing individuals, in particular the youth and the adolescents, about reproductive health and SGBV risk factors.
 - ✓ Incorporating former offenders and survivors in long-term preventive programming.
 - ✓ Developing strategies for implementation of the SGBV laws and other policies that advocate for gender equality among government institutions, CSOs, and the private sector.
 - ✓ Partnering with all the key socializing agents especially families, schools, religious leaders, cultural elders (Maragoli, Tiriki, Terik, Bunyore and marginalized groups), media to enhance awareness on SGBV.
 - ✓ Developing supportive programs that reduce SGBV and gender inequality in the county.
 - ✓ Promoting positive social norms and attitudes by conducting SGBV public education in the county.
 - ✓ Male engagement in the fight against SGBV.
 - ✓ Promoting affirmative action initiatives aimed at empowering the vulnerable groups.

3.3 Policy Objective 2: To establish SGBV response mechanisms with appropriate interventions by relevant actors in Vihiga county

The initiative focuses on the necessity of expanding access to high-quality, all-inclusive response and support services across sectors, operationalizing the already-existing gender rescue center, set up more gender rescue centres, POLICARE, Gender Based Violence Recovery Centres (SGBVRC) as well as establishing more safe spaces.

Policy Direction

The County Government of Vihiga shall take appropriate steps to address SGBV cases in the county through:

- a) Expansion of sectoral access to high-quality, all-inclusive response and support essential services. This will be achieved by:
 - ✓ Appoint a SGBV focal person in all the county departments and agencies.
 - ✓ Harmonize and implement the existing protocols and referral processes.
 - ✓ Establish a county toll-free hotline that is open 24-hours to respond to SGBV incidences.
- b) Promote accountability for SGBV by:
 - ✓ Strengthening detection, identification, mapping and reporting SGBV instances in a safe and confidential setting, without unduly burdening the victims.
 - ✓ Collaborating with development partners, CSOs, Ministries, Departments and Agencies (MDAs) to promote continuous refresher training of law enforcement personnel and other agencies handling SGBV cases.

3.4 Policy Objective 3: To mobilize resources towards prevention, prosecution, rehabilitation, reintegration and reparation.

The implementation of this policy will require resource mobilization from different sources. The resources required include human and financial resources, social organizational, cultural and moral support and materials which are important in achieving the goals and objectives of this policy

Policy Direction

The County Government of Vihiga commits to establish effective resource mobilization plans and partnerships to identify and secure new and additional resources to fulfil the common aims to address the root causes of SGBV, advocating for the rights of women, men boys and girls including persons with disabilities and the elderly through:

- ✓ Developing appropriate legislations to mobilize and ring-fence resources towards prevention and management of SGBV

- ✓ Establishing resource mobilization forums to attract donor support and strengthen the relationship with the donors, NGOs, CSOs including individual philanthropies and the private sector in Vihiga County.
- ✓ Strengthening transparency and accountability systems for SGBV resources

3.5 Policy Objective 4: To develop and strengthen a strategy that will enhance accountability, coordination, monitoring, and evaluation for sustainable SGBV programs

The County Government of Vihiga will accomplish this goal by establishing procedures for coordination, monitoring and evaluation, strengthening data collection on SGBV with stakeholders, and identifying opportunities for collaboration in this area.

Policy Direction

The County Government of Vihiga shall seek strategic partnerships with various stakeholders and map out opportunities for building coordination, data collection and management, monitoring and evaluation systems; research on SGBV interventions.

Strategies

a) *Create structures for coordination and collaboration*

The County government of Vihiga commits to:

- ✓ Adopting and implementing anti-SGBV policies in learning institutions and work places.
- ✓ Setting guidelines for safety nets, such as shelters and rescue facilities, which provide assistance to SGBV victims, survivors and those who are at risk.
- ✓ Establishing a multi-disciplinary coordination framework including partners and stakeholders.
- ✓ Fast tracking gender mainstreaming into all laws, policies, plans, and programs.
- ✓ Establishing standard operating procedures at service delivery centers and developing and implementing rules and guidelines to prevent SGBV.
- ✓ Establishing a rapid response mechanisms on SGBV especially in conflict, pandemic , cultural celebrations and crisis in the county
- ✓ Mapping all SGBV hot spots in the county

b) Improving SGBV data management, monitoring and evaluation

The County Government commits to:

- ✓ Supporting and strengthening data collection, analysis, interpretation and dissemination for informed decision making and evidence based advocacy on SGBV.
- ✓ Establishing SGBVIS and data hubs across the county.
- ✓ Establishing effective monitoring, evaluation framework at the county level
- ✓ Creating a database on organizations working on SGBV prevention and response including access to justice

c) Research and development framework

The County commits to:

- ✓ Periodic studies, surveys and research to inform programs, laws, policies, that address SGBV
- ✓ Establishing effective research and learning frameworks at the county level

3.6 Policy Objective 5: To reduce SGBV prevalence through enforcement of laws and policies

This policy acknowledges that the elimination of SGBV in Vihiga County depends on the enforcement and creation of a legislative and regulatory framework to strengthen the County's capacity to handle the vice.

Policy Direction

To develop a supportive environment for prevention response and management of SGBV in the County, the County Government of Vihiga shall implement policy, legislative, and regulatory framework.

The County Government of Vihiga commits to:

- ✓ Mainstreaming gender across all laws, policies, programs , county departments and agencies including the public service board and the county assembly
- ✓ Enactment, amendment and implementation of laws and policies

- ✓ Engaging in awareness-raising regarding SGBV-related laws and regulatory instruments
- ✓ Developing an advocacy awareness strategy on S SGBV targeting harmful cultural practices and norms
- ✓ Engaging men and boys as allies advocates, role models, champions and change agents in advocacy against SGBV
- ✓ Capacity development of institutions and service providers in the county responding to SGBV across sectors including healthcare workers, teachers, police, prosecutors, chiefs, magistrates and judges.

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CHAPTER FOUR: POLICY IMPLEMENTATION FRAMEWORK

4.1 Introduction

The aim of this policy framework is to provide a strategic guide for the progressive elimination and prevention of future emerging forms of SGBV incidences in Vihiga County. This policy will adopt a collaborative multi agency approach for the implementation of programs (Prevention, response and protection), effective coordination, Monitoring and Evaluation, public participation, and legal instruments and framework. The county government of Vihiga commits to work with national and international state and non-state actors including its residents.

There is growing goodwill at both National and County government to address SGBV as an impediment to economic development, human rights and eradication of social crisis. However, there exists gaps that hinder the county government from addressing SGBV matters like operationalization of existing legal framework, resource allocation to SGBV programs, establishment of a centralized SGBV management information system. Further, there are retrogressive practices such as, kangaroo courts, child marriage, incest, disability myths and negative attitude towards the elderly that complicates all forms of SGBV which then calls for multi-sectoral approach.

4.2 SGBV Actors and their Roles and Responsibilities

Successful implementation of this SGBV policy will be the responsibility of state and none state actors as represented below:

SGBV ACTORS	ROLES AND RESPONSIBILITIES
State Department of Gender	<ul style="list-style-type: none">• Support county governments to prepare county gender action plans and guide on the reporting mechanisms of gender outcomes• Coordinate and provide secretariate services to the gender sector working group and technical gender working groups
County Government of Vihiga	<ul style="list-style-type: none">• The County Government of Vihiga will be relevant in budgeting, facilitating the application and enforcement of SGBV law and policies.• Delivering SGBV health related services within Vihiga such as health financing, trauma counselling, treatment of victims/ survivors, community health awareness

	<ul style="list-style-type: none"> • Provide rehabilitation for GBV victims by establishing safe havens for victims and set up kitties to support SGBV victims • Facilitate or encourage the creation of county SGBV networks or strengthen existing SGBV networks at the county level • Establish facilities and infrastructure necessary for SGBV responses at the County level • Providing continuous capacity building to staff on SGBV health related services. • Collect and aggregate information on prevention, occurrence, and responses related to SGBV • Implementation of SGBV programs • Engagement in Public-private partnerships towards components of SGBV prevention, protection (e.g. infrastructure) and also ensuring enforcement of employee related policies such as sexual harassment policies at the work places • Monitoring and review of SGBV elimination programs and delivery within Vihiga County. • Coordinate the referral infrastructure for survivors/ victims across the different sectors in the County. • Build the capacity of local administration to effectively speedily and appropriately expedite cases of SGBV. • Create public awareness on SGBV and ensure that community health promoters, Chiefs and Assistant Chiefs register all cases of SGBV in their areas. • Engage with humanitarian stakeholders to strengthen their capacities for prevention and response.
<p>Ministry of Health</p>	<ul style="list-style-type: none"> • Develop the health information management systems (HIMS) • Develop and strengthen Standard Operating procedures on clinical management of SGBV • Delivering SGBV health services at county level such as health financing, trauma counseling, treatment of victims/survivors, community health awareness. • Effective participation in multi-sectorial referral infrastructure. • Providing continuous capacity building to staff on SGBV health related services.

	<ul style="list-style-type: none"> • Collection, management and dissemination of SGBV data • Facilitate doctors and clinician to court to give evidence
Office of the Director of Public Prosecutions	<ul style="list-style-type: none"> • Prosecutes SGBV cases and oversees the operation of the criminal justice system. • SGBV data collection • Advice government on matters pertaining to the development and application of criminal law. • Facilitate victims of crime and witnesses during prosecution. • To formulate prosecution policies that are in line with SGBV policy
National Police Service	<ul style="list-style-type: none"> • Provides security through enforcing law and order; • Investigation and arrest of potential and actual perpetrators of SGBV • To create an enabling environment for SGBV prevention • Investigate SGBV violations and participates on law enforcement with the Department of Public Prosecution (DPP). • Continuous training of police officers to handle SGBV cases • Improve SGBV management systems within national police service • Establish functional gender desk in all police stations • Establish child protection units in all police stations
Ministry of Interior and National Administration	<ul style="list-style-type: none"> • Overall security provision to foster a favorable atmosphere for SGBV prevention. • Assist in investigation and detention of SGBV offenders, both current and potential. • Assist in the judicial process • Ongoing training for the police service to handle crimes involving gender and sexuality. • Accurate data gathering • Coordinate and mobilize community for sensitization and awareness on SGBV • Detect, identify and use alternative dispute resolution on SGBV • NGAO officers will receive complaints and handle them appropriately through referrals and support the police to locate the perpetrators
Judiciary	<ul style="list-style-type: none"> • Criminal justice system addresses SGBV to ensure accountability for the perpetrators and promote the safety of survivors.

	<ul style="list-style-type: none"> • Judiciary works in coordination with police, advocates, health care providers, criminal justice actors, child protection services, employers, media, and faith-based leaders • Develop Bail and Sentencing policies to assist in determining cases of SGBV in a manner consistent with the law and constitution and ensure speedy determination of cases • Increase and improve the institutional capacity of all courts to deal with gender-based crimes • Ensure full implementation of the Witness Protection Act in relation to gender based criminal cases • Develop and constantly review laws relating to gender-based crimes • Administration of justice for SGBV victims/survivors • Ensuring a standardized and coordinated government approach on matters relating to SGBV • Streamlining the development and implementation of legislation • Particularly developing and reviewing legislation to strengthen and accommodate modern methods of evidence delivery • Efficiently collate SGBV data • Ensure that Judicial officers are comprehensively trained on matters of gender-based crimes
<p>Ministry of Education</p>	<ul style="list-style-type: none"> • Offer positive change and learning curriculum to the adolescent. • Offer sexual reproductive health rights education to learners. • Strengthen the capacity of guidance and counseling personnel in all learning institutions • Support school health programs • Ensure the safety of all students from SGBV in their learning institutions • Enlightening and sensitizing parents, community and stakeholders on the contributory factors of SGBV and the need for protection from it • Provide relevant data

Probation	<ul style="list-style-type: none"> • Offer probationary services to the perpetrators. They will be useful in co-ordination of rehabilitation programs for the perpetrators. • Conduct follow up of children with and in conflict with the law • Provide relevant data • Prepare reports on SGBV perpetrators and present to the court
Children department	<ul style="list-style-type: none"> • Organize frequent meetings of the Area Advisory Council to discuss child protection issues. • Consolidate data and information on child-related SGBV instances. • Link and refer survivors and victims to safe spaces, rescue centers, homes, and other organizations. • Uphold and protect child rights.
Social Development Department	<ul style="list-style-type: none"> • Mainstreaming SGBV issues of special interest groups and implement programs that address their needs (Elderly, PWDs) • Linkages and referrals of social groups to devolved funds for economic empowerment
National Council for Persons with Disabilities	<ul style="list-style-type: none"> • Put programs in place that cater to the requirements of PWDs. • Combine and produce data on SGBV cases to guide county programs and activities. • PWDs are linked to and referred for specialized services like sign language interpretation and braille. • Empower Organization of Persons with Disabilities (OPDs) economically and supply them with tools of the trade
County Department of Gender	<ul style="list-style-type: none"> • Facilitates the development of interagency systems for incident reporting, documentation, referrals, information sharing, monitoring and evaluation, and coordination • Facilitates access to resource and best practice materials, including new information available in newsletters, journal articles, and reports that disseminate best practices, lessons, innovations, and other practical tools for this relatively new area of humanitarian aid

	<ul style="list-style-type: none"> • Overall leadership and coordination in policy implementation, and resource mobilization, data aggregation and analysis.
County Assembly	<ul style="list-style-type: none"> • Enacts legislation and approves regulations relating to County programming and projects. • Oversees the executive branch including all institutions mandated to undertake legal functions. • Approve the budgets for SGBV • Conduct public education on matters of SGBV
Office of the Women Rep	<ul style="list-style-type: none"> • Affirmative action programs/projects to support vulnerable members of the community by sponsoring their economic empowerment initiatives • Conducting civic education and community sensitization on the affirmative action programs and policies • Establishment of drugs and substance abuse rehabilitation centres in conjunction with county government of Vihiga • Enhancement of access to services for survivors of SGBV through establishment of rescue centres, legal aid centres and other similar facilities
Media	<ul style="list-style-type: none"> • Information provider, and analysis on enforcement of SGBV policies and legislation, serve as a public watchdog. • Provides a campaign platform for awareness raising and education, for all stakeholders to communicate concerns and opinions. • Policy dissemination and awareness creation on SGBV • Gender responsive coverage of SGBV interventions
National Gender and equality commission	<ul style="list-style-type: none"> • Provide oversight on the implementation of the policy by state and non-state actors • Continuously undertake gender audits and act as the principal organ of the state in ensuring compliance with the constitutional provisions; • Investigate complaints relating to gender for appropriate action.
Non state actors and the Community	<ul style="list-style-type: none"> • Advocate for accountability for SGBV laws and policies and budgetary allocations • Participates in CIDP elaboration and annual budget reviews at county level • Compliment SGBV services and participation in the SGBV referral infrastructure.

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| | <ul style="list-style-type: none">• Participation in data collection and analysis, including undertaking research and surveys• Design appropriate programs and interventions |
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4.3 Coordination Framework

The policy adopts National Standards of Gender Policy 2014 and models developed by The National Gender and Equality Commission (2017) in its structures while the coordination structure epitomizes the State Department of Gender Affairs new model of coordination of Gender Sector Working Groups in the Counties.

The Policy shall leverage on multisectoral approach that ensures the design and implementation of SGBV programs & strategies towards prevention, protection, response mechanisms & monitoring and evaluation. The Policy envisages the creation of an accountability platform from Community to County level in an effort to strengthen SGBV elimination programs in the County.

4.4 SGBV Implementation Matrix

Goal	Objectives	Strategies	Activities	Indicators	Actors
<p>The main goal of this policy is to accelerate and reinforce efforts towards elimination of SGBV and improve the quality of life and wellbeing of every person in Vihiga County by 2033.</p>	<p>Objective 1: To implement SGBV prevention and management programs, laws and policies in Vihiga County</p>	<p>Reducing exposure of vulnerable groups to SGBV</p>	<ul style="list-style-type: none"> • Promotion of self-care programs for the protection of SGBV service providers • Collaboration with correctional facilities to integrate SGBV programs into their plans and operations • Development of safe spaces, rehabilitation, and reintegration facilities for all survivors and SGBV offenders. • Implementing systems to identify persons and groups at high risk of SGBV • Establishing networks and support groups for SGBV victims and perpetrators; • Creating and enhancing initiatives for the 	<p># of self care programs created</p> <p># of service providers reached with the self care programs</p> <p># of correctional facilities integrating SGBV programs</p> <p># of safe spaces and rehabilitation centers developed</p> <p># of Survivors and offenders benefiting from these centers</p> <p># of support groups created</p> <p># of support networks established</p> <p># of economic empowerment initiatives created</p> <p># of survivors benefiting from the initiatives</p>	

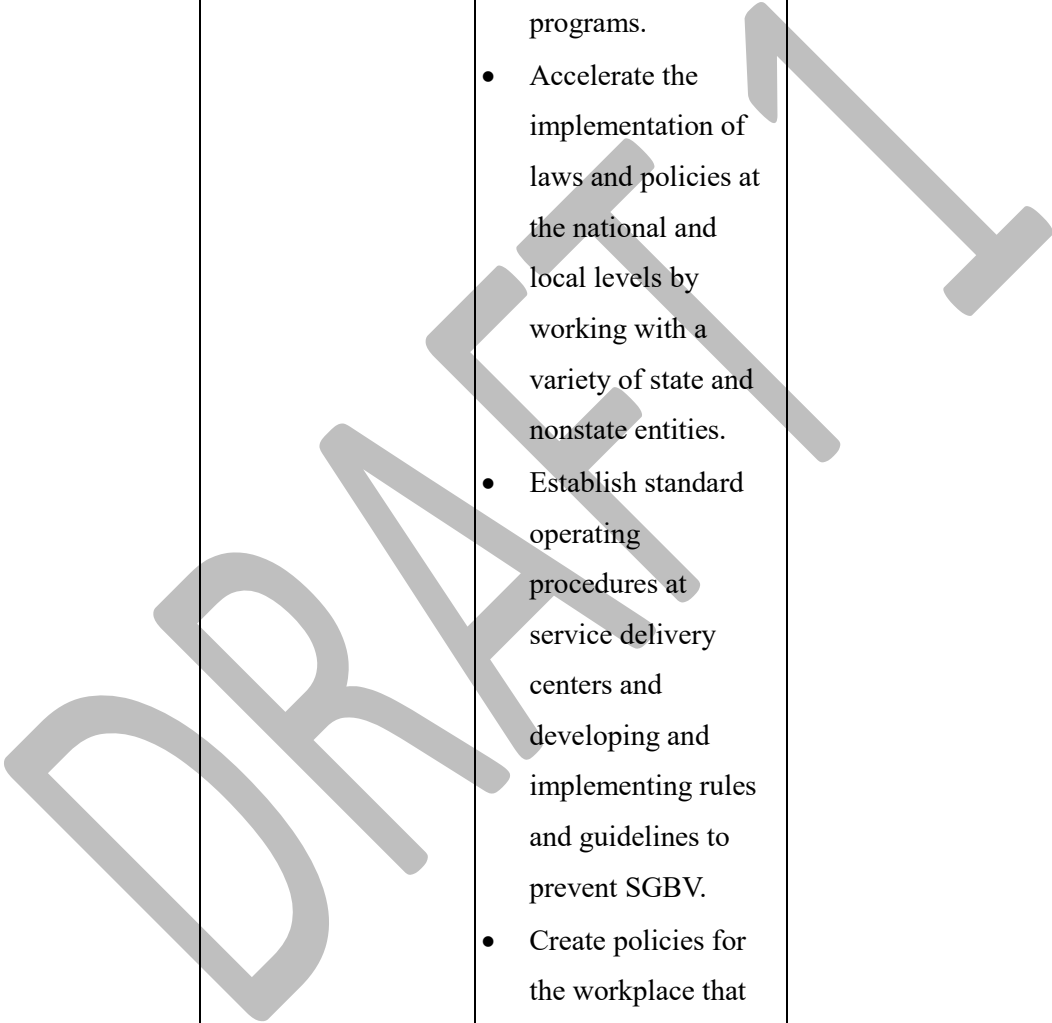
			economic empowerment of survivors;		
		Create a setting that is conducive to SGBV prevention	<ul style="list-style-type: none"> • Sensitize individuals, in particular the young and the adolescents, about reproductive health, particularly with regard to sexuality and biological changes. • Include and collaborate with former offenders in long-term preventive programming. • Encourage support for the policy against SGBV and for the implementation of the SGBV laws and other policies that advance gender equality among government institutions, CSOs, and the private sector. • Work with the media to increase 	# of young people sensitized # of former offenders incorporated in the long-term preventive programming Existing policies against SGBV # of policies fully supported... # of people reached with information # of media houses reached Existence of Work plan by country wide actors to address SGBV issues # of SGBV focal persons at the national level coordinating SGBV activities # of programs developed # of educational institutions reached # of public education activities conducted # of men, boys and young people sensitized Existing affirmative action initiatives	

			<p>awareness of the SGBV evidence</p> <ul style="list-style-type: none"> • Strengthen countywide coordination for gender equality and SGBV prevention • Encourage programs that reduce SGBV and gender inequality in educational institutions. • Promote positive social norms and attitudes by conducting SGBV public education in the area. • Sensitize men, boys, and young people in the battle against SGBV. • Launch affirmative action initiatives aimed at empowering women and girls 	# of the initiatives launched	
	<p>Policy Objective 2: To establish SGBV response mechanisms with</p>	<p>To expand sectoral access to high-quality, all-inclusive</p>	<ul style="list-style-type: none"> • 	<p>Support the development of quality and comprehensive SGBV response centers in every ward and sub-county</p>	

	appropriate interventions by relevant actors in Vihiga county	response and support services		level, with at least one county referral facility at the county level.	
	Policy Objective 3: To mobilize resources towards prevention, prosecution, rehabilitation, reintegration and reparation.				
	Objective 4: To develop and strengthen a strategy that will enhance accountability, coordination, monitoring, and evaluation for sustainable SGBV programs	<i>Improving SGBV data management</i>	<ul style="list-style-type: none"> • Build the capacity of Health care workers, Community health volunteers, police and local administration on SGBV data management mechanism. • Support and encourage collection and management of statistics on the origins, effects, and frequency of all types of SGBV • Fast track dissemination and implementation of 	# of SGBV service providers trained # of IEC materials on SGVB produced and shared # of SGBV cases reported SGBV database developed and updated monthly # of CMEs conducted # of SGBV centers served with the SGBV SOPs #of victims and perpetrators who received SGBV services. #of HCWs sensitized Copies of the work plans and budgets on SGBV programs # of SGBV survivors and Perpetrators reached	<ul style="list-style-type: none"> • County Government • National Government

			<p>minimum standards for service delivery across health sectors and enhance SGBV case identification, comprehensive care and support for survivors/victims, perpetrators and their families in a health service charter</p> <ul style="list-style-type: none"> • Mobilize and allocate resources for SGBV response and support services at all levels within the county • Facilitate free SGBV health services and legal assistance, advice, advocacy and other support services to the victim/survivor and access to information on their rights. • Procure SGBV tools and evidence collection kit including but not limited to: PRC 	<p>Availability of data collection tools at the health facilities, police stations. Copies of the work plans and budgets on SGBV programs</p> <p># of SGBV survivors and Perpetrators reached</p>	
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			<p>forms, SGBV register, SGBV summary tool</p> <ul style="list-style-type: none"> • Improve the sector-specific monitoring, assessment, and data management mechanisms now in place 		
		<p>Create methods for collaboration and monitoring.</p>	<ul style="list-style-type: none"> • Adopt, reinforce, and impose strict anti-SGBV policies at pertinent educational institutions. • Create guidelines for safety nets, such as shelters and rescue facilities, which provide assistance to SGBV victims and survivors. • Create a unified and shared system for tracking SGBV data and carrying out the Policy against SGBV. • Support the system for coordinating the 	<p>Availability of SGBV policies</p> <p># of institutions provide with SGBV policies</p> <p># of shelters and rescue centers created</p> <p># of victims/survivors benefiting from the shelters</p> <p>Availability of shared system for tracking SGBV</p> <p># of SGBV cases reported in the system</p> <p>Existing gender equality laws, policies and programs</p> <p># of existing laws and policies implemented fully</p> <p># of service delivery centers served with SGBV prevention SOPs</p>	



			<ul style="list-style-type: none"> Establish clear regulatory mechanisms to limit public access to explicit material that could degrade morals. 		
	<p>Policy Objective 5: To reduce SGBV prevalence through enforcement of laws and policies</p>	<p>To prevent, respond to, and manage all forms of SGBV in Vihiga County</p>	<ul style="list-style-type: none"> Create the necessary regulatory framework; Uphold and implement the SGBV legal, policy, and regulatory framework; Engage in awareness-raising regarding SGBV-related laws and regulatory instruments; 	<p>Existence of regulatory framework</p>	
				<p># of response centers developed per ward Existing county referral facility Existence of a county referral directory # of women referred through the referral systems Existing toll free hotline</p>	

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of cases reported through the toll free line
of survivors reached through the toll free line
of functional focal points in each county hospitals
of victim centered services expanded
of survivors reached with support services
Existence of SGBV in the county budget
of policing duties and activities incorporated with gender equality
of state and non state actors strengthened to coordinated referral process

of people reached with legal information
of law enforcement personell traine
of communities reached with information on constructive social norms and attitudes
Existing community based legal system
of communities sensitized on the system
of families assisted

				# of rehabilitation programs developed # of criminals rehabilitated # of community-based court systems established	
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4.5 Monitoring and Evaluation

Monitoring and Evaluation framework will accompany this SGBV Policy document so as to facilitate effective routine managerial and coordination control, strategic assessment of outcomes and impact, and provide the material from which lessons can be learned and policy analysis developed. It will outline information requirements, data collection methods, and analytical frameworks and will include plans for ongoing monitoring activities to inform the future direction of the policy.

Monitoring and evaluation at various levels will be undertaken to facilitate information dissemination and sharing. The evaluation will seek to attain the achievement of outputs and impact at the objectives level and confirm that Programme activities have been carried out effectively and to appropriate quality standards. This will consist of:

- Systematic collection of sex disaggregated data at fixed intervals to document changes in the target population;
- Undertaking analysis necessary to explore changes in particular agreed key indicators.
- Disseminate monitoring findings in appropriate formats to all relevant stakeholders to facilitate lesson learning and stimulate dialogue and policy review.
- Developing Research Tools that ensure prevention programs are regularly evaluated to determine their effectiveness and to identify areas for improvement.
- Presenting reports on quarterly, biannual and annual to the County Assembly and to the national SGBV coordinating body by the County Executive Officer in charge of gender and Youth Affairs.

- Provision for a multi-sectoral mechanism to monitor implementation of the Policy on information gathering and analysis; monitoring progress; identifying good practices and obstacles throughout implementation; and proposing measures for future action

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