



African Gender and Media Initiative Trust

AFRICAN GENDER AND MEDIA INITIATIVE TRUST (GEM TRUST)



Introduction to GEM Trust

- African Gender and Media Initiative Trust (GEM) is a women led research organization that works to advance gender equality through research and action on women's human rights. **Our Vision is a just and equitable society where all women and girls enjoy their human rights without discrimination, irrespective of their status**
- GEM is a member of the Universal Periodic Review Kenya Stakeholders Coalition on the UPR, a coalition that brings together over 200 CSOs in Kenya working through 30 sub clusters.
- This presentation is on behalf of the Sexual Reproductive Health Rights (SRHR) Cluster and the Women Rights Cluster.
- The coalition engaged with government and constitutional commissions in preparation of the National report.



Statement Outline

The Statement addresses the following issues; focusses on two key issues:

- Limited Access to Sexual Reproductive Health Services, Information and Commodities by Adolescents & Young People, Persons with Disability, People Living with HIV and Key Populations
- Gender Based Violence (GBV)
- I will address one issue from each theme and make 2 recommendations on each.
- I will provide updates from previous recommendations



Sexual Reproductive Health and Rights Thematic Group

Limited Access to Sexual reproductive Health Services Information and commodities by Adolescents and Young People, persons with Disability, People living with HIV and key Populations

- The state supported the recommendation by Portugal to review all legal and policy and structural barriers that impede the provision of Sexual and Reproductive Health Services in particular adolescent girls and young women and members of key populations more vulnerable to HIV and implement comprehensive human rights- based programmes in this area. This was the only SRHR recommendation accepted.
- According to the National Syndemic Disease Control Council Kenya, more than half 51% of all new HIV infections in Kenya were adolescents and young people aged 15- 24 years



Sexual Reproductive Health and Rights Thematic Group

- Article 43 (1) (a) of the Constitution of Kenya 2010 guarantees every person the right to the highest attainable standard of health which includes the right to healthcare services, including reproductive health care. Parliament is yet to enact an Act of parliament to provide for this
- Significant structural and systemic barriers such as discriminatory laws and policies, socio-cultural barriers such as restrictive norms and individual barriers such as young people's limited or incorrect knowledge of SRH impede access to SRHR.
- The National Reproductive Health Policy 2022-2032 imposes parental consent for SRHR services (up to 21 years in certain cases) thus limiting access to essential youth friendly services.
- A holistic approach is necessary to dismantle these barriers and ensure equal access to sexual reproductive health care for all.



Recommendations

1. Review the reproductive Health Policy specifically on the age of consent to ensure it aligns with the constitution of Kenya 2010 therefore addressing structural barriers that hinder access to sexual and reproductive health information and services
2. Remove all legal, policy, and structural barriers that impede the provision of sexual and reproductive health services, in particular against adolescent girls, young women, and members of key populations more vulnerable to HIV, and implement comprehensive human rights-based programs in this area.



Women Rights Thematic Group- Gender-Based Violence

- During the previous review, the state supported 28 recommendations on sexual and gender-based violence, these include the recommendation to set-up specialised courts that enable speeding up and effective treatment of cases of gender-based violence by Spain and put an end to violence against women and girls and eradicate female genital mutilation by France.
- Over 40% of women have experienced physical or sexual violence from their partners at least once during their lives. (KDHS)

There is increased number of women experiencing emerging forms of gender-based violence including technologically facilitated GBV, electoral GBV, femicide, and sexual harassment beyond the workplace such as sexual harassment in transport and sextortion in institutions of learning.



Women Rights Thematic Group-Gender-Based Violence

- Between 2016 and 2023 over 500 women have been killed. The circumstances surrounding the murder of these young women has been linked to intimate partner violence and technology-facilitated gender-based violence.
- The majority were under 35 years old and were killed by intimate partners or people known to them.
- 170 women were killed in 2024.
- These emerging forms of GBV have not been criminalized in Kenyan laws.



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Recommendation

1. The government should strengthen the existing legal and policy framework to include technology facilitated GBV, femicide, sexual harassment beyond the workplace and other emerging forms of violence against women.
2. Establish and fully operationalise comprehensive survivor centred one stop GBV services that includes the health ,justice, security and safety services

We would further request to know: The plans the state part has in place to enact a law to give effect to Article 81 (b) of the constitution on two-thirds gender rule.



END



Thank you

