

# Mapping the policy landscape for women's economic empowerment in Kenya



With its dynamic private sector, skilled workforce, progressive constitution, and forward-looking agenda for structural reform, Kenya has the potential to be one of Africa's success stories. But to achieve the growth needed to transform the lives of ordinary citizens, Kenya must address gender inequality and weak governance. Even as it aims to achieve middle-income country status, there is increasing evidence that Kenya's poverty is feminized and women are marginalized.

COVID-19 further challenges women's economic empowerment, as they endure job losses while losing mobility, health services, and income supports.

What are the policy levers advancing women's economic empowerment (WEE) in Kenya, and what role can research play?

This brief captures the main findings of a scoping paper that maps the policy landscape for WEE in Kenya, with a special focus on policies and programs related to workforce gender segregation, women's collective action and agency, and unpaid care work. The author conducted a rapid assessment of available literature, supplemented by interviews with gender experts at the University of Nairobi and Kenyatta University, and civil society organizations working in WEE-related domains.

## **Women's status in Kenya**

As of 2019, women made up just under half of Kenya's total labour force. Kenyans are overwhelmingly employed in the informal sector, where incomes are low and jobs are precarious. Women are concentrated in agriculture, making up 75% of the labour force on smallholder farms. They account for only about one-third (34%) of workers in the formal sector, mostly employed in administration, education, and services.

## Entry points for a WEE agenda



Enhancing women's entrepreneurship and businesses



Connecting and raising the visibility of women-owned businesses



Evaluating and scaling innovations that advance WEE



Strengthening women's local economic initiatives



Expanding policy research on care work



Addressing the impact of COVID-19 and other shocks



Women are also underrepresented in decision-making, including in most elective positions. They make up only 4.3% of governors and 17.4% of deputy governors, while reaching just over a constitutionally mandated one-third threshold in county assemblies. The greatest gains have been seen in the judiciary, where the proportion of women magistrates reached 53.3% in 2019. In medium and large private sector firms, decision-making at senior management and board levels remains male-dominated.

Their disproportionate burden of unpaid care work restricts most women's choice of sector and type of job, as they seek employment close to home to balance their domestic responsibilities. Despite efforts by the Kenyan government and various partners to address unpaid care work and provide social safety nets, domestic and paid work conditions for women show little substantive improvement, especially among specific marginalized groups, such as female-headed households.

The effects of COVID-19, and measures to address it, have been keenly felt in the service sector. Tourism is hard hit, with jobs in hotels and agencies severely curtailed. Women are also affected by shrinking social safety nets and maternal health care services, even as demand for these supports increases. Along with COVID-19, Kenya endured concurrent natural disasters in 2020, including plagues of locusts, drought, floods,

and destruction of key infrastructure. Rural women who subsist on agriculture have been on the frontlines of these calamities.

### Key policies, laws and plans related to WEE

Gender equality and freedom from discrimination are enshrined in Kenya's Constitution, and a wide range of policies, laws, and plans have been introduced to implement these provisions.

The National Policy on Gender and Development is central to advancing women's economic empowerment. Its priority areas include, among others, improving women's livelihoods, protecting their rights, increasing their participation in decision-making and governance, and promoting their empowerment in macro-economic management. The policy sets out legislative and administrative measures to address gaps in the realization of gender equality and women's empowerment. These measures include protection against violence, such as the Sexual Offences Act and Protection Against Domestic Violence Act; the harmonization of marriage laws under one Act; and the review of divorce and inheritance laws to protect the rights of women. The Kenya Employment Act (2007), meanwhile, advocates for equal opportunities, pay, and benefits regardless of gender.



“Women have been hit by shrinking social safety nets and maternal health services, even as demand for these supports increases.”

While there are no specific policies that directly address workforce segregation and women's collective action, a number of policies and plans do so indirectly, including the social pillar of Vision 2030, Kenya's national economic policy framework. Among the flagship projects supported through its implementation framework—Kenya's Third Medium-Term Plan—a number of special funds and affirmative action initiatives have been created to increase women's workforce participation through small and medium enterprises (SMEs). Through the Access to Government Procurement Opportunities policy directive, 30% of government procurement opportunities are reserved for women, youth, and persons with disabilities. There are also plans to establish Biashara Bank as a means of coordinating the delivery of affordable financing and support for business development. Women's collectives often serve as an alternative form of security for loans provided through government initiatives that aim to financially empower women.

To address gender disparities in education and employment, there is growing recognition within Kenya of the importance of vocational education, and the need to attract women and girls into higher-paying, male-dominated occupations. There is currently a policy dialogue on Technical, Industrial, and Vocational Education and Training and youth labour market skills development more broadly.

A number of acts and policies address care work indirectly. The Health Act (2017), for example, requires employers to support women in breastfeeding at work. The National Policy on Gender and Development recognizes that women work longer hours than men yet they earn less. It targets unpaid care and domestic work “to ensure shared responsibility within the house and invest in social services and infrastructure provision and social protection policies to reduce the burden on women.”

Other policies that may have positive effects on care work include the 2003 introduction of free primary education, which saw a dramatic increase in girls' enrolment. The Provision of Free Maternal and Child Health Services policy and the ongoing implementation of universal healthcare policies may reduce the time

women spend seeking medical care for themselves and their children. Government energy policy also prioritizes rural electrification, which may facilitate domestic labour-saving technologies and spur the growth of SMEs, including those led by women.

Despite these policy efforts, a number of factors have constrained progress on WEE, including:

- gaps in policy oversight, with insufficient staff and funding to effectively advance WEE
- overlooking the context and needs of specific target groups, such as women and youth
- focusing on outputs, such as numbers of loans and repayments, rather than transformative results
- politicization of the WEE agenda, with some initiatives hastily announced for populist ends, with little planning, and
- a lack of coordination between sectors and levels of government, especially between county and national actors.

### What role can research play?

The effectiveness of programs and policies intended to advance gender equality has been difficult to assess due to a lack of monitoring and evaluation and specific indicators of women's economic empowerment. Action research, undertaken with government departments and intended beneficiaries, could strengthen program logic and lay an informed foundation for measuring and scaling up success.

Specific entry points for research to support a WEE agenda include, among others:

- **Enhancing women's entrepreneurship and businesses**  
Partnership between government affirmative action funds and commercial institutions to widen women's access to financial services has seen a rapid increase in the number of those having accounts, accessing funds, and registering businesses. Yet there is little evidence of how well these businesses are performing. Research is needed to document their successes and failures, contribute to regulatory frameworks and policies, and explore how a greater diversity of women could benefit.
- **Connecting and raising the visibility of women-owned businesses**  
Through the 50 Million African Women Speak initiative, Kenya is planning to register 2.4 million businesswomen, increase networking among them, and share existing WEE resources for easy accessibility. Data and evidence on the impact of this initiative on various categories of women could enhance its effectiveness.
- **Evaluating and scaling innovations that advance WEE**  
Innovations such as mobile money transfers and banking platforms have been embraced by women-led

enterprises. Their use in transfers and savings is set to increase as COVID-19 limits the handling of cash. This calls for more research on how to maximize the use of cashless transfers and other financial innovations while reducing their risks and costs.

- **Strengthening women's local economic initiatives**  
Women's solidarity groups have pioneered financial models such as "table banking" that enable poor women to save and lend their savings at interest. But there is little objective evidence on their WEE value. Supportive policies could be enhanced through research based on data trends.
- **Expanding policy research on care work**  
Research is needed to support the development and strengthening of policies addressing women's care work, maternity leave, and child care to address the impacts of women's unpaid work roles. Further efforts are needed to quantify and put value on women's unpaid care work so these contributions are recognized in the gross national product.
- **Addressing the impact of COVID-19 and other shocks**  
Collaborative partnerships are needed to generate and use evidence to mitigate the negative impacts of these shocks on women. There is a need for research on interventions that will cushion the impacts of COVID-19 on both the formal and informal production sectors. Stronger WEE data and knowledge management are required to ensure such interventions are effective.



Across these entry points, priority should be given to inclusive and culturally appropriate approaches to advancing WEE and tailoring initiatives to meet the needs of poor/marginalized women. This calls for action research that involves these women in designing projects and programs in a respectful way that enhances their voices and identity

*The **Growth and Economic Opportunities for Women (GrOW) East Africa** initiative seeks to spur transformative change to advance gender equality in the world of work. It is funded by the Bill & Melinda Gates Foundation, the William and Flora Hewlett Foundation, and Canada's International Development Research Centre (IDRC). Building on the success of the multi-funder GrOW program, GrOW East Africa aims to enhance gender equality and the economic empowerment of marginalized women in five countries of focus: Ethiopia, Kenya, Tanzania, Rwanda, and Uganda. It will foster new in-country knowledge, innovations, and solutions to inform policies and programs addressing unpaid care work, gender segregation in labour markets, and women's employment.*

*Scoping papers were commissioned for each of these countries to form a baseline that will allow for monitoring progress in implementing GrOW East Africa. The paper "Policy mapping: Women's economic empowerment in Kenya", which this brief draws from, was prepared by Masheti Masinjila.*

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