

SPECIAL ISSUE



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GAZETTE NOTICE NO. 109

TECHNICAL WORKING GROUP ON GENDER-BASED VIOLENCE (GBV) INCLUDING FEMICIDE

APPOINTMENT

WHEREAS, Article 45 of the Constitution posits the family as the basic unit of society and the necessary basis of social order;

WHEREAS, Articles 28 and 29 of the Constitution affirm the inherent dignity of every individual and their right to freedom and security;

WHEREAS, these articles, as read together with other provisions of the Constitution, provide the framework to guarantee the protection of these rights as well as other unalienable rights, through security that encompass the protection from all forms of violence, whether public or private;

WHEREAS, the Government takes note of the rising cases of Gender-Based Violence (GBV) in the country, with increased cases of the killings of women and girls, generally referred to as Femicide;

WHEREAS, such cases grossly undermine the fundamental rights and freedoms guaranteed under Article 26 (Right to Life), Article 27 (Equality and Freedom from Discrimination), Article 28 (Human Dignity), Article 29 (Freedom and Security of the Person) and Article 48 (Access to Justice) of the Constitution;

WHEREAS, Kenya has ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) for the protection and promotion of women's rights;

WHEREAS, the Government, as part of the community of nations made commitments under international conventions and treaties, including the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);

WHEREAS, these treaties oblige the State to take measures to prevent, respond to and eliminate all forms of violence against women and girls;

NOW THEREFORE, having given due consideration to the profound threat that this pervasive menace poses to our nation's collective pursuit of gender parity, I do note as follows:

I. THAT the increased cases of GBV and Femicide continue to cause immense physical, emotional, and economic harm to individuals, families, and communities, exacerbating gender inequalities and impeding sustainable development;

II. THAT there are existing gaps in prevention, response, investigations, prosecution, data management, and survivor support systems in GBV and Femicide cases; and

III. THAT such egregious violations pose a threat to our national security as well as strain the nation's social fabric.

FOR REASONS WHEREFORE, I, William Samoei Ruto, President of the Republic of Kenya and Commander-in-Chief of the Defence Forces, in exercise of the powers conferred on the Head of State and Government by the Constitution and the laws of the Republic of Kenya, do:

(a) Establish a Technical Working Group on Gender-Based Violence (GBV) Including Femicide, to assess, review, and recommend measures to strengthen the institutional, legal, and policy response to GBV and Femicide in the country;

(b) The Technical Working Group shall comprise of:

Chairperson

Nancy Baraza (Dr.)

Members:

Mohammed Washala Abdi,
Ruth Aura Odhiambo (Dr.),
Linah Kilimo,
Edna Ngare Ngeno (Dr.),
Linda Musumba (Dr.),
Nobert Talam,
Michael Kariuki,
Charles Ismael Otieno Otiende,
Diana Christine Nanjala,
Peter Mwangi Kamau,
Anthony Nzioki,
Surum Ipato Korema,
Anne Ngetich,
Wangu Kanja (Dr.),
Franklin Wallah,
James Nombi,
Kizito Wangalwa,
Harleen Kaur Jabbal,
Bashir Isaak (Dr.).

Valentine Chepkoech Simei,
 Shem Nyakutu,
 Janey Leakey,
 Beatrice Karwitha,
 Lucy Njeri Mwaniki,
 Purity Ngina (Dr.),
 Sam Thenya (Dr.),
 Susan Ndanyi,
 Antonia N'gabala Sodonon,
 Mercy Karanja (Dr.),
 Gloria Wawira,
 Faith Odhiambo,
 Ann Ireri,
 Seth Masese,
 Mashetti Masinjila.

Joint Secretaries:

Caroline Jerono Kibiwott,
 Jessica Achieng Omundo,
 Geoffrey Rotich,
 Baldwin Anyiga.

Secretariat:

Rosemary Muriungi,
 Kepha Onyiso,
 Philomena Loitarengan.

1. The Terms of Reference of the Technical Working-Group are to:

- (a) Identify trends, hotspots, and causes contributing to GBV and Femicide;
- (b) Analyse the adequacy of current legal and policy frameworks in addressing GBV and Femicide;
- (c) Propose amendments to strengthen laws, improve enforcement, and close existing legislative gaps;
- (d) Evaluate resource allocation, training levels, and operational effectiveness in managing prevention, response, support and investigations related to cases on GBV and Femicide;
- (e) Conduct community engagements to gather input on solutions to combat GBV and Femicide; -
- (f) Provide actionable recommendations on prevention, investigation, prosecution, and survivor support mechanisms in GBV and Femicide cases;
- (g) Examine the role of social media coverage in GBV and Femicide, including its influence on public perception, awareness, and policy-making;
- (h) Identify psychological issues related to the commission of crimes associated with GBV and Femicide;
- (i) Establish socioeconomic challenges contributing and exacerbating to the commission of GBV and Femicide; and
- (j) Recommend proposals to strengthen family ties, foster harmonious co-existence among family members, and develop social structures that support the resolution of domestic disputes;

2. In the performance of its tasks, the Technical Working Group shall:

- (a) Co-opt any person(s) deemed necessary or expedient for the effective discharge of its functions;

- (b) Conduct public hearings and/or receive information in private (where necessary in camera) as part of its mandate;
- (c) Convene meetings, forums, or consultations at such locations and times as necessary for the proper execution of its mandate;
- (d) May cause to be carried out such studies or research or obtain advice as may inform or assist the Task Force on its mandate;
- (e) Review and consider reports, judgments, or findings of past or ongoing cases related to GBV and Femicide;
- (f) Examine official reports, policies, legislation, or other relevant documents concerning GBV and Femicide;
- (g) To invite written submissions and memorandums from the members of the public;
- (h) Have such powers necessary or expedient for the proper execution of its functions, including the power to regulate its own procedures;
- (i) Create committees or sub-committees to expedite the discharge of its tasks.
- (j) Ensure, where appropriate, the safety and protection of participants;
- (k) Engage and work collaboratively with the National Government Administration Officers (NGAO) for effective support in the discharge of its mandate; and
- (l) Where necessary ask for extension of time from the appointing authority to enable it complete its work.

3. At its first meeting, the members shall select a vice chairperson from amongst the membership.

4. In furtherance of the objectives and purpose of the Technical Working Group, all State entities are directed to afford the Technical Working Group all necessary support and cooperation.

5. The Technical Working Group is expected to develop a report and submit it to the appointing authority within a period of ninety (90) days with effect from the date of this notice, or for such longer period as may, by notice in the Gazette, be extended.

6. The Technical Working Group shall report to H.E. the Deputy President, through the Principal Secretary for Gender, who will be the chairperson of a Principal Secretaries' Oversight Committee comprising of Principal Secretaries of the State Departments of Internal Security and National Administration, Social Protection, Health, Diaspora Affairs, Tourism, Cabinet Affairs, Devolution, Higher Education and Research, Technical Vocational Education and Training, and the Solicitor-General.

7. The Secretariat of the Technical Working Group shall be at the Ministry of Interior and National Administration.

The Secretariat address shall be:

*Ministry of Interior and National Administration,
 P.O. Box 30510-00100,
 Harambee House,
 Nairobi.*

Dated the 9th January, 2025.

WILLIAM SAMOEI RUTO,
President.