

BARINGO COUNTY GOVERNMENT



BARINGO COUNTY ASSEMBLY

SECOND ASSEMBLY -SIXTH SESSION

**COUNTY HERITAGE, GENDER, CULTURE AND COMMUNITY SERVICES
COMMITTEE REPORT ON THE BARINGO COUNTY GENDER BASED
VIOLENCE BILL, 2022.**

MAY, 2022

4.1.7. Memoranda received

Mr. Speaker Sir, the Committee further received memoranda from Baringo Civil Society Organization Forums (BACSOF) and it details as follows:

The table below details our observations and recommendation under each section of the bill:

Section	Observation and recommendation
PART I: Interpretation	BACSOF proposes addition of the following words; Domestic violence and sexual violence. The bill loosely mentions the use less empowering language such as " Victims of sexual violence ". BACSOF is of the view that there is need for the use of survivors of GBV
Objects and purposes	BACSOF proposes addition of information on objects and purposes of the bill and that should borrow prototype from National Gender and Equality Commission such as; in the section on objects and purpose of the bill include: <ul style="list-style-type: none"> • To increase access to quality access and comprehensive response across the county • Improve coordination for effective programming for GB prevention and responses
PART II: THE GENDER BASED VIOLENCE MANAGEMENT COMMITTEE	
Section.3: Establishment of the Gender Based Violence Management Committee	BACSOF proposes inclusion of qualification of a management committee which should indicate parameters for appointment of membership to tap requisite skills.

Section 4: Composition of the management committee	<p>BACSOF proposes addition of members or stakeholders from the following sectors:</p> <ul style="list-style-type: none"> • Private sectors, • Court Users Committee member, • Interested development partners <p>Given that gender inclusivity is a guiding principle for this bill, there should be a clause to provide for adherence to the 2/3 gender rule in the steering committee.</p>
Section 5: Functions/mandate of management committee	<ul style="list-style-type: none"> • Baringo Civil Society Forum proposed the addition on role as resource mobilization for interventions especially for national; and international days, International Zero tolerance day against FGM, 16 Days of Activism, Day of an African Child, International Women's day among others.
PART IV: THE BARINGO COUNTY GENDER BASED VIOLENCE TECHNICAL WORKING GROUP	
Section 16: Established the Baringo County Gender Based Violence Technical Working Groups	<p>BACSOF proposes establishment of Gender Based Violence Champions starting from grass root to county level for sustainability purposes.</p>
Section 17: Composition of the Gender Based Violence Technical Working Group	<p>As a way of sustaining the GBV at county level, the Baringo Civil Society organizations Forum proposes addition Civic Educators to the TWG.</p>
PART VI: — SAFE HOUSES	
Section 26:	<p>BACSOF proposes addition of management of Safe house. The bill do not show how the houses will be managed to achieve its intended goals in future.</p>

3



BACSOF

Baringo Civil Society Organizations Forum

THE CLERK,
BARINGO COUNTY ASSEMBLY.

*CHAIR - COUNTY HERITAGE
AND OR CULTURE & COMM-
UNITY SERVICES*

29/05/2022



*Kindly consider the
memorandum accordingly.*

[Signature] For

Dear Sir,

RE: MEMORANDUM ON THE BARINGO COUNTY GENDER BASED VIOLENCE
BILL 2022 PRESENTED TO THE BARINGO COUNTY ASSEMBLY BY BARINGO
COUNTY CIVIL SOCIETY ORGANISATIONS FORUM ON 26TH MAY 2022

BACSOF is a network of civil society organizations operating in Baringo with a shared vision of promoting effective county governance and participatory development. BACSOF exists to provide a coordinated framework for civil society organizations to undertake activities, projects and programs that further and enhance effective and participatory county governance and development. Among the interventions of the forum include; Civic Education, capacity building of various stakeholders in governance and development process, mobilizing citizens to participate in key county governance process, initiating social accountability initiatives such as community social audits, community scorecard, participatory budget analysis and Public Expenditure Tracking

Pursuant to the call for submissions dated 25th May 2022, and in fulfilment of our mandate BACSOF hereby presents our submission for your consideration in your review and enactment of the Baringo County Gender Based Violence Bill 2021. This memo has been prepared through a joint analysis and consultation forum for BACSOF members (see annex 1 for the list of attendees).

BACSOF commends the County Government of Baringo, both the county executive and the county assembly, for developing the bill in response to Gender Based Violence bill and in fulfillment of its national and global commitment. Indeed considering the adverse effects currently being experienced by the residents of Baringo County, this bill is long overdue and that BACSOF supports enactment of Gender based violence Bill.

The table below details our observations and recommendation under each section of the bill:

Section	Observation and recommendation
PART I: Interpretation	<p>BACSOF proposes addition of the following words; Domestic violence and sexual violence</p> <ul style="list-style-type: none"> • The bill loosely mentions the use less empowering language such as “Victims of sexual violence”. BACSOF is of the view that there is need for the use of survivors of GBV
Objects and purposes	<p>BACSOF proposes addition of information on objects and purposes of the bill and that should borrow prototype from National Gender and Equality Commission such as; in the section on objects and purpose of the bill include:</p> <ul style="list-style-type: none"> • <i>To increase access to quality access and comprehensive response across the county</i> • <i>Improve coordination for effective programming for GBV prevention and responses</i> • <i>To improve enforcement of laws and policies on prevention of GBV across the county</i> • <i>Improve sustainability of GBV prevention and response interventions</i>
PART II: THE GENDER BASED VIOLENCE MANAGEMENT COMMITTEE	
Section.3: Establishment of the Gender Based Violence Management Committee	<p>BACSOF proposes inclusion of qualification of a management committee which should indicate parameters for appointment of membership to tap requisite skills</p>
Section 4: Composition of the management committee	<p>BACSOF proposes addition of members or stakeholders from the following sectors:</p> <ul style="list-style-type: none"> ✦ Private sectors, ✦ Court Users Committee member, ✦ Interested development partners <p>Given that gender inclusivity is a guiding principle for this bill, there should be a clause to provide for adherence to the 2/3 gender rule in the steering committee.</p>
Section 5: Functions/	<ul style="list-style-type: none"> • Baringo Civil Society Forum propose addition on role as resource

mandate of management committee	mobilization for interventions especially for national; and international days, International Zero tolerance day against FGM, 16 Days of Activism, Day of an African Child, International Women's day among others. <ul style="list-style-type: none"> • To analyze county policies, develop plans and budgets and advice the steering committee on mainstreaming of gender issues in all departmental programmes and activities.
PART IV: THE BARINGO COUNTY GENDER BASED VIOLENCE TECHNICAL WORKING GROUP	
Section 16: Established the Baringo County Gender Based Violence Technical Working Groups	BACSOFF proposes establishment of Gender Based Violence Champions starting from grass root to county level for sustainability purposes
Section 17: Composition of the Gender Based Violence Technical Working Group	As a way of sustaining the GBV at county level, the Baringo Civil Society organizations Forum proposes addition Civic Educators to the TWG
PART VI: — SAFE HOUSES	
Section 26:	BACSOFF proposes addition of management of Safe house. The bill do not show how the houses will be managed to achieve its intended goals in future

Observations and gaps

- The bill has not provided awareness creation and education to respond to GBV in the County and other decentralized units
- The bill majors mostly on structures at county level rather than sustainability mechanism
- Resources and other funds from donors getting into the kitty is not well defined
- The idea of referral pathway need to be embedded in law so that it becomes the mandate of both committees to create referral systems
- The management committees should be written well instead of “**management committee**”
- The bill lacks policy implementation frameworks like enforcement, coordination, accessibility and resource mobilization strategies not put in the correct order

Cross-cutting Recommendations

1. The Act to spell out clearly the specific role of gender Technical Working group members beyond meetings
2. The bill should prioritize awareness creation & education to communities on effects of GBV and its response
3. The bill needs to mirror with the NGECC prototype and the national policy on Gender Based Violence 2014 (proposes County Coordination frameworks at three levels that is County level Steering committee chaired by Women Representative at political level, meet biannually; GBV Operational /management committee chaired by County Commissioner meet quarterly housed at Gender Department and Community/ Ward level SGBV chaired by Chairperson of Community policing Source: Policy on national policy on GBV page 38/39)
4. The County Government should develop a framework for coordination and partnership with learning institutions and other stakeholders in the implementation of this bill
5. Newly established funds have tendency of being misappropriated due to weak accountability structures. Therefore as the County Assembly reviews this bill and the subsequent regulations mechanism for promoting transparency and accountability should come out clearly.
6. The GBV bill need to be incorporated with the Access to justice model
7. The bill to prioritize on how to compensate of survivors of GBV in future and ensure economic empowerment at the Safer Houses

Conclusion:

Submission of this memorandum to you is in good faith and in the best interest of the people of Baringo County. We hope that you will find our inputs informative as you deliberate enactment of the bill. We are available to provide more information or clarification of the issues in our submission, if need be. We would be glad to have a siting with the relevant committee in the County Assembly to elaborate on the submission.

BACSOFF remains committed to supporting the County Assembly in delivering her mandate towards participatory, accountable and responsive County Governance. Gender violence / abuse is an impediment to infringement of human rights to vulnerable members of the society of Baringo County.

**ANNEX 1: LIST OF BACSOF MEMBERS IN THE ANALYSIS AND CONSULTATION
MEETING HELD ON 26TH MAY 2022 VIA ZOOM**

NO	ORGANIZATION	CONTACT PERSON	CONTACTS	EMAIL
1.	Mwafrika Institute	Josphat Musbey	0725510410	josmusbey@gmail.com
2.	ActionAid Kenya	Laurence Kiplagat	0724887762	Lawrence.Kiplagat@actionaid.org
3.	Bare Care Centre	Philip Tomno	0721860972	philtomno@yahoo.co.uk
4.	Catholic Diocese of Nakuru	Mike Koech	0725359342	kiprop.mike@gmail.com
5.	Gender Empowerment and Wellness Centre	Lucy Mitei	0720297370	gewec2015@gmail.com
6.	Ogiek Sisters for Sisters	Judith Koech	0727614814	koech.juddith@gmail.com
7.	Langas Community Based Organisation	Philip Sigilai	0721443527	philip.sigilai@yahoo.com
8.	BACSOF Secretary	Godfrey Kipsoi	0725509757	godfreykipsoi@gmail.com
9.	GEWEC	Lilian Kangogo	0717480954	kangogolillian@yahoo.com
10.	CIPAF	Isaiah Biwott	0726110839	isaiah.biwott@gmail.com
11.	SUPKEM Baringo	Abubakar Bilal	0722242337	abutiman198@gmail.com
12.	Baringo Youth Forum	Evans Barsongol	0720041439	evanskangwony@gmail.com
13.	ActionAid Kenya	Isaac Chelal	0727458360	cheisack@yahoo.com
14.	Collaborative Centre for Gender and Development	Carol Chebet	0724430150	c.jebet@ccgdcentre.org
15.	Media	Festus Kipchumba	0723515586	Kipchumbafestus2@gmail.com
16.	Endorois Women	Christine Kandie	0725100629	christinekandie@yahoo.com
17.	East Field CBO	Nachale Joseph	0723977499	nachaletoitich@gmail.com
18.	Budget Champion	Carolyne Boswony	0706132405	carolynejerop2007@gmail.com
19.	Host - CEDGG	Evans Kibet	0711221294	kibetboss@gmail.com
20.	Co-host	Irene Nyiva	0712742001	irenenyiva2015@gmail.com
21.	CEDGG	Paul Masese	0716365774	paulmasese1985@gmail.com
22.	Bare care Centre	Amos Chemuna	0704202359	chemuna@gmail.com
23.	Budget Champion	Rongai Leakwara	0712698218	rongaileakwara@gmail.com
24.	Budget Champion	Janet Ongoli Nandwa	0727504426	janetongoli@gmail.com
25.	Budget Champion	David Kiplagat	0798081893	davidkiplagat9@gmail.com
26.	Budget Champion	Ali Bilal	0720651962	alibilal201@gmail.com
27.	Budget Champion	Karen Kiptoo	0708652967	kiptookaren@gmail.com
28.	Budget Champion	Richard Kimosop	0726709814	richardkimosop2@gmail.com
29.	Budget Champion	Kibichii Kipsang	0716944919	bethuelkibichii@gmail.com
30.	Budget Champion	Celestine Kiprono	0717536440	celestinekiprono00@gmail.com