



KENYA DIGITAL ECONOMY ACCELERATION PROJECT

P170941

**Sexual Exploitation and Abuse/Sexual Harassment
Prevention and Response Action Plan¹**

August 2023

¹ Gender-Based Violence Action Plan is replaced with the new name of SEA/SH Prevention and Response Action Plan under the 2022



Acronyms

Acronym	Definition
CA	Communication Authority
CERC	Contingent Emergency Response Component
DLP	Digital Literacy Program
DOSH	Directorate of Occupational Safety and Health
ESF	Environment and Social Framework
FGM	Female Genital Mutilation
ESS	Environment and Social Standards
GBV	Gender-based Violence
GDP	Gross Domestic Product
ICT	Information, Communication and Technology
ICTA	Information, Communication and Technology Authority
ILO	International Labor Organization
IPV	Intimate Partner Violence
KII	Key Informant Interviews
KNBS	Kenya National Bureau of Statistics
KDEAP	Kenya Digital Economy Acceleration Project
LMP	Labor-Management Procedures
LSK	Law Society of Kenya
MICDE	Ministry of Information Communication Technology and Digital Economy
MPA	Multiphase Programmatic Approach
NALEAP	National Legal Aid Service
NGEC	National Gender and Equality Commission
NT	National Treasury
M&E	Monitoring and Evaluation
ODPC	Office of Data Protection Commissioner
OHS	Occupational Health and Safety
PIU	Project Implementation Unit
PIM	Project Implementation Manual
PwDs	Persons With Disabilities
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SEP	Stakeholder Engagement Plan
SGBV	Sexual and Gender Based Violence
TA	Technical Assistance
TVET	Training and Vocational Education and Training
OSHA	Occupational Health and Safety Act
WB	World Bank
WHO	World Health Organization
WIBA	Work Injury Benefits Act



Definitions

SEA/SH Prevention and Response Action Plan is a document which outlines how the project will put in place the necessary protocols and mechanisms to address SEA/SH risks; and how to address any SEA/SH allegations that may arise. This is the new name for the GBV Action Plan, as used in the original (2018) version of this note. The SEA/SH Prevention and Response Action Plan should include an Accountability and Response Framework, which details how allegations of SEA/SH will be handled (investigation procedures) and disciplinary action for violation of the Code of Conduct (CoC) by workers

Gender based violence (GBV) is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private (IASC2015).

WB defines Sexual Exploitation and Abuse (SEA) as any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes. The abuse of such power may include wrongful gains such as profiting monetarily, socially, or politically from the sexual exploitation of the weak in society. In the projects financed by the WB sexual exploitation occurs when access to or benefit from Bank financed goods, works, non-consulting services or consulting services is used to extract sexual gain.

Sexual Abuse (SA) is defined by the WB as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Harassment (SH) is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. It occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.



Table of Contents

1	INTRODUCTION.....	6
1.1	Project Description.....	6
1.2	Project Component.....	6
1.2.1	Component 1: Broadband Infrastructure and Access (US\$320 million, including US\$190 million equivalent from IDA SUW; US\$10 million equivalent from national IDA, US\$20 million equivalent from Regional IDA, and US\$100 million expected in unguaranteed commercial financing).....	7
1.2.2	Component 2 : Digital Government and Services (US\$104 million IDA equivalent, of which US\$89 million from IDA SUW, US\$5 million from national IDA and US\$10 million from Regional IDA).....	7
1.2.3	Component 3:Digital Skills and Markets (US\$51 million equivalent, of which US\$36 million from IDA SUW, and US\$10 million from regional IDA and US\$5 million from national IDA).....	8
1.2.4	Component 4: Project Management (US\$10 million).....	8
1.2.5	Component 5: Contingent Emergency Response Component (CERC) (US\$0).....	8
2	KENYA COUNTRY CONTEXT.....	9
2.1	Kenya Gender Based Violence Prevalence Rates.....	9
2.2	Legal Framework for GBV (SEA/SH) in Kenya.....	9
2.3	International Treaties.....	10
3	CATEGORIZATION OF SEXUAL EXPLOITATION AND ABUSE/ SEXUAL HARASSMENT.....	12
3.1	Background.....	12
3.2	Potential Project-Related SEA/SH Risks.....	12
3.3	SEA/SH Screening.....	14
4	ADDRESSING SEXUAL EXPLOITATION AND ABUSE RISKS IN THE KDEAP.....	18
4.1	World Bank Requirements.....	18
4.2	GBV (SEA/SH) Programming Guiding Principles.....	18
5	GBV PREVENTION AND RESPONSE MECHANISM FOR KDEAP.....	19
5.1	ICTA Gender Mainstreaming Policy (April 2021).....	19
5.2	ICTA’s Sexual and Gender Based Violence Policy (April, 2021).....	21
5.3	GBV (SEA/SH) Prevention in Kenya Applicable for the Project.....	21
5.4	Access to Quality and Comprehensive Responsive and Support Services.....	22
5.5	Coordination.....	22
5.6	Data Management and Monitoring & Evaluation.....	22
5.7	Research and development.....	22



5.8	Resource Mobilization Towards Sustainable GBV (SEA/SH) Response and Prevention Programmes	23
5.9	Sustainability	23
5.10	Institutional Setup for Management of GBV (SEA/SH) in Kenya	23
6	Grievance Mechanism (GM).....	25
6.1	SEA/SH Grievance Management.....	25
6.2	SEA/SH Reporting Process.....	27
7	GENDER BASED VIOLENCE REFERRAL PATHWAYS	28
8	INSTITUTIONAL ARRANGEMENTS AND MONITORING OF THE SEA/SH PREVENTION AND RESPONSE ACTION PLAN	30
8.1	Gender Management System	30
8.2	Structures	30
8.3	Implementation Framework.....	30
8.4	Monitoring and Evaluation of the SGBV Policy and the SEA/SH Prevention and Response Action Plan.....	31



1 INTRODUCTION

This Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) Prevention and Response Action Plan outlines how the project will put in place the necessary protocols and mechanisms to address SEA/SH risks; and how to address any SEA/SH allegations that may arise. This is the new name for the GBV Action Plan, as used in the original (2018) World Bank Group SEA/SH Good Practice Note. The SEA/SH Prevention and Response Action Plan includes an Accountability and Response Framework, which details how allegations of SEA/SH will be handled (investigation procedures) and disciplinary action for violation of the Code of Conduct (CoC) by workers. The project's SEA/SH classification is **moderate**, this will guide the proposed mitigation measures under the project.

The Environmental and Social Framework (ESF), Environmental and Social Standards (ESSs) set out the requirements for Bank projects relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the World Bank. While the ESF itself does not explicitly mention SEA/SH, various ESSs are in alignment with the recommendations of this Good Practice Note (GPN) for addressing SEA/SH, including: • ESS1: Assessment and Management of Environmental and Social Risks and Impacts; • ESS2: Labor and Working Conditions; • ESS4: Community Health and Safety; and • ESS10: Stakeholder Engagement and Information Disclosure.

The SEA/SH classification for the project is moderate. Under the WBG 2022 Good Practice Note, SEA and SH are manifestations of GBV. There are four broad categories of GBV that may be relevant to World Bank-financed IPF involving major civil works. However, since SEA and workplace SH are the types of GBV most relevant to IPF, the risk identification and mitigation of these forms of GBV are the primary focus of this GPN.

1.1 Project Description

Kenya Digital Economy Acceleration Program seeks to expand access to high-speed internet, improve the efficiency of education and government services and administration, and build digital skills for the economy.

1.2 Project Component

The program will employ a Multiphase Programmatic Approach (MPA). MPA provides a more flexible and adaptive environment to achieve the Program goals with consistency and focus over the long term. The PDO of Phase 1 (KDEAP) is to enhance digital infrastructure, services and skills for inclusive participation in the digital economy. The PDO level indicators are:

1. Estimated percentage of the population who are internet users (of which, % female);
2. Institutions provided with new or enhanced access to the internet under the project;
3. Number of government services that are available online; and
4. Number of students provided with enhanced internet access and/or new digital skills under the project (of which, % female).



1.2.1 Component 1: Broadband Infrastructure and Access (US\$320 million, including US\$190 million equivalent from IDA SUW; US\$10 million equivalent from national IDA, US\$20 million equivalent from Regional IDA, and US\$100 million expected in unguaranteed commercial financing)

The aim of this component is to increase access to high-speed internet for individuals, industry, and government the ‘foundation of the foundations’ of a digital economy and strengthen Kenya’s role as regional digital leader while leveraging matching investments from the private sector. Public funds will be used to unlock commercial infrastructure investments in the backbone (1.1), the last mile for education (1.2) and regional infrastructure (R1.5) to better serve rural areas, borderlands and roll out next generation connectivity services and technologies. The investment will be carried out by network operators, using the mechanism of matching investments (also known as “gap financing”) from project funds and the USF to stimulate commercial investment in a ratio of roughly 2:3 (i.e., US\$2 of commercial investment for every US\$3 of public funds). The project design uses public infrastructure investments (from project funds and the USF) to fill gaps in the public network and connect critical public institutions and service locations. These cover universities, TVETs, and schools in subcomponent 1.2, government MCDAs in subcomponent 1.3, and borderland areas in R1.5, in addition to healthcare centers and law courts in Phase 2. As well as targeting supply side interventions, this component will directly aid in increasing demand-side participation and inclusion in the digital economy—among the poor, rural communities, women, PWDs and refugee camps and their host communities—by enhancing accessibility and thereby supporting their productive participation in the digital economy.

1.2.2 Component 2 : Digital Government and Services (US\$104 million IDA equivalent, of which US\$89 million from IDA SUW, US\$5 million from national IDA and US\$10 million from Regional IDA)

This component will invest in automating and digitizing selected government services while strengthening the legal and policy frameworks and the technical architecture needed to enable a whole-of-government transition to paperless Government. Many MCDAs have adopted individual data hosting and digital solutions which hamper the cohesiveness of digital platforms across Government. Some e-Services introduced have not been user-friendly, pointing to gaps in business process reengineering and the application of user-centric design. Lack of a secure and robust foundational integrated digital infrastructure enabling workflow and exchange of information across the public sector limits the scope of services that can be provided electronically to citizens and businesses. This component will invest in: (i) strengthening the existing e-Service delivery mechanisms of the Government to enable the introduction of additional critical e-Services in the short term, while in parallel (ii) designing and introducing foundational integrated digital infrastructure (i.e., “critical enablers,” which include interoperability; unified communication; digital identity management; customer relationship management; electronic payments; recognition and validation of electronic records; security and privacy of data; and organized, systematic, and secure access to non-confidential data) to enable full transition to e-Government over the medium term.



1.2.3 Component 3: Digital Skills and Markets (US\$51 million equivalent, of which US\$36 million from IDA SUW, and US\$10 million from regional IDA and US\$5 million from national IDA)

This component aims to equip young Kenyans with digital skills and strengthen their abilities to access and compete in domestic and regional markets through supporting skills development, to study mechanisms to improve access to affordable devices and through enhancing the enabling environment for e-commerce to support Kenya's role as a regional digital hub. This component will complement interventions to connect educational institutions under component 1 by supporting wider access to digital skills development, including strengthening basic digital literacy through the formal education system, entry-level digital skills through the tertiary education system as well as advanced digital skills certification programs for professionals. The activities to develop digital skills will be paired with an assessment study and financing towards a proposed scheme to make digital devices more affordable for targeted groups. The component will also finance complementary TA, legal advisory and capacity building to enhance the enabling environment for e-commerce and cross-border digital services so that Kenyan entrepreneurs can more easily access regional and global markets.

1.2.4 Component 4: Project Management (US\$10 million)

This component will support project implementation, coordination and capacity building for the PIU within ICTA. It will include support for dedicated project managers and technical specialists, procurement and financial management specialists, environmental and social safeguards and communications specialists. It will also provide support for office equipment, incremental operating costs, and audits. If necessary, this component will also fund TA to support M&E. Relevant MDAs will also receive training on measures to be taken during emergencies such as on emergency response procedures at times of health or climate emergencies, to ensure continuity of operations and minimize disruptions.

1.2.5 Component 5: Contingent Emergency Response Component (CERC) (US\$0)

A CERC is added to the project structure. This will have an initial zero value but may be financed during the project to allow for an agile response to an eligible crisis or emergency. Adding the component from the beginning, albeit with zero funding, provides for flexibility to respond to crises as they arise, and the project implementation manual (PIM) will be adapted to guide the utilization of this component including risk mitigation strategies. These could include, for instance, humanitarian crises which require the provision of emergency communications services to replace facilities that have been damaged, or to facilitate emergency humanitarian payments using mobile money.



2 KENYA COUNTRY CONTEXT

2.1 Kenya Gender Based Violence Prevalence Rates

The 2014 Kenya Demographic and Health Survey indicated that about one in four women reported physical or sexual violence from a partner in the 12 months before the survey. Overall, about 41 per cent of women reported having experienced physical or sexual violence from their husbands or partners in their lifetime. About two-fifths of those women reported physical injuries from the violence.²

A similar proportion of men aged 15-49 (44 per cent) report that they have experienced violence since age 15, but fewer (12per cent) have experienced it in their adult life. Men rarely report that wives or partners are the perpetrators of the violence.

Sexual violence in Kenya can begin from a young age. US-AID notes in the 2008 Kenya Demographic and Health survey that 12per cent of women aged 15-49 state that their first sexual encounter was forced. Furthermore, UN-Habit stated that out of sixty-six women they interviewed who had admitted to having been sexually abused eleven women reported that they had been abused as children. Overall, two thirds of these women were abused by somebody they knew: 36per cent by a family member and 27per cent by a neighbor. It was noted that women who experience sexual abuse as children are more likely to suffer from all forms of abuse when they reach adulthood.

2.2 Legal Framework for GBV (SEA/SH) in Kenya

The Constitution of Kenya creates a platform for gender equality and non-discrimination. Article 10 of the Constitution is on the National Values and Principles of governance. It highlights such principles as equality, equity, inclusiveness, and non-discrimination. These principles provide an anchorage for gender equality. Further, Article 27 (1) provides that every person is equal before the law and has the right to equal protection and benefit; Article 27 (3) provides that women and men have the right to equal treatment including the right to equal opportunities in political, social, economic, and cultural spheres. The Constitution also outlaw's discrimination on any basis including, pregnancy, race, sex, marital status, health, ethnicity or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth in Article 27 (4). To realize these ideals, the Constitution in Article 27 (6) requires the government to take legislative and other measures including affirmative action to redress disadvantages suffered by individuals and groups because of past discrimination. Article 27 (8) requires that not more than two thirds of the members of elective or appointive bodies are of the same gender.

Figure 1 below presents the legislation, policies and standards Kenya has made significant progress with regards to the development of standards and guidance around addressing GBV (SEA/SH) and providing support to its survivors. Government of Kenya (GoK) has developed several laws which are relevant to addressing GBV (SEA/SH), including expanding the criminalization of abuse, and an explicit statutory duty by the police and identified government departments to ensure that survivors are provided with medical services and protection.

² 2014 Kenya Demographic and Health Survey



At the national policy level, a number of standards have been developed, such as the National Policy for Prevention and Response to Gender Based Violence (2014) which outlines a strategy to facilitate a multi-sectoral approach to addressing GBV (SEA/SH) through prevention and response interventions; the National Guidelines on the Management of Sexual Violence (2014), which details the management of sexual violence and outlines the steps for the treatment of sexual violence survivors, including the preservation of evidence and issues of psycho-social support; and the National Monitoring and Evaluation Framework towards the Prevention of and Response to Sexual and Gender Based Violence in Kenya (2016) which sets out indicators for monitoring and evaluation of the different sectors supposed to prevent and respond to sexual violence.

Various standards have been developed at the national sectoral level, such as the National Health Sector Standard Operating Procedures on Management of Sexual Violence in Kenya 2014 which outlines the minimum procedures for the management of GBV (SEA/SH) in the health sector and related referral mechanisms for psychosocial, legal, and other social support services; however, the roll-out of standards and procedures articulated at the national level remains limited at the county level.

A recently established County Government Policy on Sexual and Gender Based Violence, 2017 and its accompanying Model Legislative Framework on Sexual and Gender Based Violence for County Governments launched in November 2017, provide a framework to support the implementation of laws, policies and, programmes for prevention and response to SGBV (SEA/SH) for county governments, and help the development of a County Sexual and Gender Based Violence Act setting out each county's commitment. It is important to note that the policy specifically refers to the need to "ensure that the framework is actionable, well-coordinated and sufficient resources are allocated for its implementation at County level" (NGEC, 2017: 13).

While loopholes and gaps remain in terms of the full comprehensive coverage of the legal framework there is an impressive and relatively progressive framework in place to hold duty bearers and the state accountable if standards are broadly not upheld.

2.3 International Treaties

Kenya has ratified and subscribes to many of them including:

- a) the Universal Declaration of Human Rights (UDHR, 1948),
- b) the International Covenant on Civil and Political Rights (ICCPR, 1976),
- c) the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW, 1979),
- d) the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984),
- e) the United Nations Convention on the Rights of Child (CRC, 1989),
- f) the Beijing Platform for Action (1995),
- g) UN Resolution 1325 (2000), the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (2000), T
- h) he ILO Convention 182 on the Worst Forms of Child Labor; and
- i) The Optional Protocol on the Convention of the Rights of the Child on Child Trafficking, Child Prostitution and Child Pornography.



At the regional level, the normative framework includes instruments such as:

- a) the Protocol to the Africa Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, 2003),
- b) the Solemn Declaration on Gender Equality in Africa (2004),
- c) the International Conference of the Great Lakes Region Protocol; and
- d) The African Charter on the Rights and Welfare of the Child.

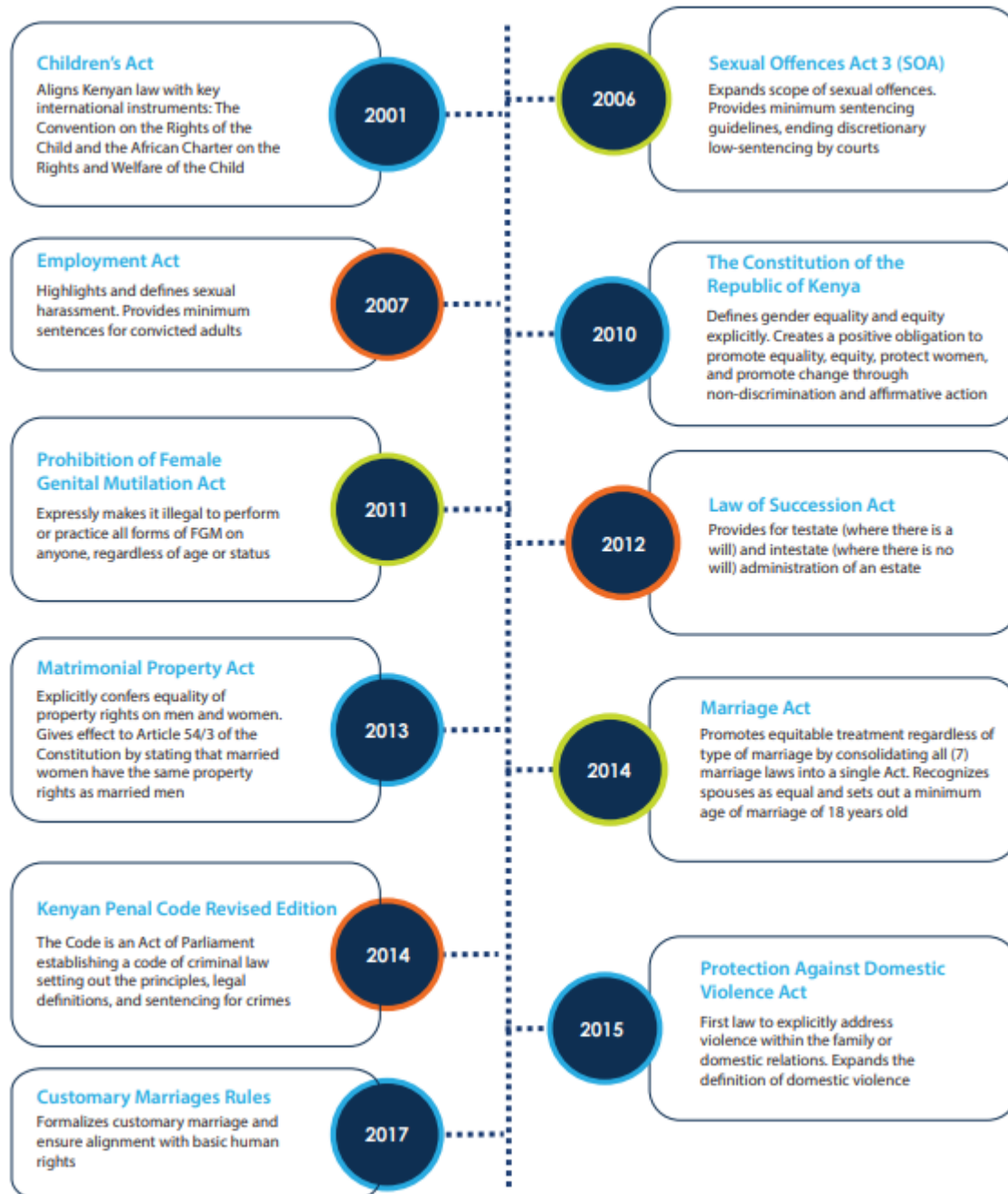


Figure 1 : Kenya Legal Framework for Gender Based Violence



3 CATEGORIZATION OF SEXUAL EXPLOITATION AND ABUSE/ SEXUAL HARASSMENT

3.1 Background

According to the 2022 SEA/SH Good Practice Note, Gender Based Violence (GBV) is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed gender differences. GBV includes acts that inflict physical, mental, sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life. GBV disproportionately impacts women, girls and LGBTQI+ individuals across their lifespan and takes many forms, including sexual, physical, and psychological abuse. It occurs at home, on the streets, in schools, workplaces, farm fields, and refugee camps, during times of peace as well as in conflicts and crises.

SEA and SH are manifestations of GBV. There are four broad categories of GBV that may be relevant to World Bank-financed IPF involving major civil works. However, since SEA and workplace SH are the types of GBV most relevant to IPF, the risk identification and mitigation of these forms of GBV are the primary focus of this GPN.

The WB Guidance Note on recommends a survivor centered. This approach considerations related to SEA/SH mitigation and response through a survivor-centered lens, 8 protecting the confidentiality of survivors, practicing nondiscrimination, centering their safety, and treating them with agency, dignity, and respect for their needs. For adults it means following the survivor's wishes and recognizing the survivor as the principal decision maker in their own care. For children it means ensuring that the best interest of the child is always the primary consideration in all actions concerning a child. In relation to incidents of SEA/SH involving children, the child's wishes and opinions on their situation should be considered in determining the best interests of the child.

3.2 Potential Project-Related SEA/SH Risks

The project's SEA/SH risks classification is **moderate**. However, the World Bank will review the appropriateness of the moderate SEA/SH classification for the Project during project implementation. The project will be implemented country-wide, accordingly to the 2014 Kenya Demographic and Health Survey, 44 percent of women aged 15-49, there has been a significant increase in cases related to GBV in Kenya during the COVID-19 pandemic in 2020 and 2021. Component 1 includes the construction of broadband infrastructure and access which will be implemented in both urban and rural/remote areas where there are high levels of poverty, and lack of accessibility to services with high SEA/SH prevalence rates. The construction works are not expected to result in significant project induced in-migration/labor influx thus low likelihood of exacerbating SEA/SH risks.

The identification of the SEA/SH risk mitigation measure is guided by the WBG Good Practice Note on Addressing Sexual Exploitation and Abuse in Investment Projects Financing involving major civil works and the World Bank most recent ESF Directive. The Client has prepared the project SEA/SH Assessment and Action Plan which is under review by the World Bank Team and will be cleared and disclosed by the Bank prior to project effectiveness. Mitigation measures will include the following: (i) contractors' workforce on all sites including schools and other institution will be lean, trained and well supervised minimizing the SEA/SH risks for the project; (ii) all supervision consultants and contractor's workers will include full time social and gender experts and community liaison officers; (iii) all workers will sign a code of conduct; (iii) SEA/SH training for ICTA staff, supervision consultants staff and the contractor's workers will continue throughout



project implementation; (iv) SEA/SH mitigation measures will be incorporated into the Environmental and Social Management Plans (ESMPs); (v) stakeholders' consultations will properly inform communities and stakeholders of the project on SEA/SH risks; (vi) the project grievance redress mechanism will provide multiple channels to initiate complaints, including specific procedures for SEA/SH related complaints including confidential reporting with safe and ethical documentation of SEA/SH and (vii) the project will maintain SEA/SH staff for PIU, Supervision Consultants and Contractors.

ICTA the project's main implementing agency is currently implementing two World Bank-financed projects with similar activities to KDEAP. This includes the Eastern Africa Regional Transport and Trade Development Facilitation Project (EARTTDFP, P145583) and the Horn of Africa Gateway Development Project (HoAGDP, P161305) where ICTA is a key implementing agency. Both projects are implementing the WBG GBV good practice note. During the last six years of implementation of these projects, the World Bank Group has continuously provided targeted training to ICTA staff as well as associated contractors and supervising engineers. Under the EARTTDFP for the last six years there have not been any SEA/SH cases reported involving ICTA-related works. Further, ICTA has a Gender and Sexual Exploitation and Abuse Policy and a separate Gender Mainstreaming Policy. In the institution, there exists a Gender Committee and a Gender Focal Point responsible for the management of SEA/SH risks for the Authority.

The KDEAP project will engage direct workers who will be government employees mainly from the National Treasury, and consultants that the PIU will hire for the delivery of specific time-bound technical tasks and assistance. The civil servants engaged in the project will be subject to and governed by the Employment Act of 2007, public service regulations and Human Resources Manuals. The consultants on the other hand will be governed by a set of mutually agreed contracts.

1. Direct Workers. The project will engage the following types of workers as “direct workers”:
 - a. Project Implementation Unit (PIU): A PIU will be set up within the ICTA to manage the project. It will have a Project Coordinator (PC) with overall responsibility for the effective functioning of the Project. The PIU will include cross-cutting functions as follows:
 - i. Project Coordinator
 - ii. IT Specialists
 - iii. Procurement Specialist
 - iv. Project Accountant
 - v. M&E consultant
 - vi. Environmental and Social (E&S) safeguards consultant
 - b. Civil Servants: Various MICDE and ICTA staff including IT experts, IT engineers, finance experts, accountants and procurement officers will be involved in the project. These will be drawn from the civil service at the NT.
 - c. Consultants: The MICDE and ICTA will carry out activities related to supervision and Technical Assistance (TA). The TA will be carried out by consultants, who will be hired on a needs-basis. The consultants will be assigned to various functions including safeguards.
 - d. Contractor workers : the contractors will maintain lean staff with close oversight.
 - e. Primary suppliers and
 - f. Community workers.



ICTA has an existing Sexual and Gender-Based Violence (SGBV) Policy. The project’s SEA/SH Prevention and Response Action Plan will be in line with the SGBV Policy of ICTA and will apply to project workers including those in the PIU, supporting civil servants, consultants, contractors, primary suppliers, community workers, whether those be full-time, part-time, temporary and seasonal. The project scope does not provide or anticipate labor influx and the employment of migrant workers. Although international and local consultants may be recruited to offer specific services, their conditions of engagement will be as contained in their contracts and TORs.

There are several concerns about the potential for SEA/SH risks: These include:

- a) increased risk of abuse and exploitation for vulnerable women in the workplace.
- b) increased risk of sexual exploitation and harassment in the context of project resources and opportunities.
- c) Other abuses may occur at the project workers interface where vulnerable women.

This SEA/SH Prevention and Response Action Plan will cover the first two types of SEA/SH. Therefore, the SEA/SH action plan is prepared in line with the protocol laid out in the WB SEA/SH Good Practice Note, ICTA’s Sexual and Gender-Based Violence Policy and the government of Kenya policies. The SEA/SH Prevention and Response Action Plan details the operational measures that will be put in place to prevent and respond to project-related SEA/SH including managing related grievances. It incorporates codes of conduct for project workers and other strategies to prevent risks of SEA/SH from occurring and establishes procedures for managing related grievances. The project should allocate an appropriate budget to implement the SEA/SH Prevention and Response Action Plan and assign a GBV focal person to oversee the implementation of activities. For its implementation, allocating an appropriate budget is required.

3.3 SEA/SH Screening

The summary of the SEA/SH

Project Context	Response	Risk Rating	Comment
Is project in an area with active emergency or humanitarian situation?	Yes	Moderate Risk	The project will be implemented in all the 47 counties of Kenya. About six of these counties of Turkana, Wajir, Isiolo, Mandera, Lamu and Tana River experience conflict. These conflicts range from the perennial animal banditry to extreme violence from militia groups. However, the project will not use military or paid security forces that will come in direct contact with beneficiaries.
How much infrastructure construction, upgrading or rehabilitation	Medium	Moderate Risk	The Project will have relatively small to medium civil works levels of construction of infrastructure that will involve trenching and laying of the fiber optic cable. The project will not result to labour influx or setting up of contractor’s camps.



Project Context	Response	Risk Rating	Comment
does the project entail?			
What is the extent of the influx of labour associated with project activities?	Low	Low Risk	The laying of the fiber optic cable is an activity that is highly mechanized. The Contractors will maintain lean staff without any worker's camp to be set up under the project. In this case easy to supervise and thus minimizing the SEA/SH risks.
During the preparation of the project, were consultations carried out with residents, women's associations, and children?	Yes	Moderate Risk	Consultations we undertaken during the project preparation, especially as part of preparation of ESF documents. Residents, women, and women's associations are being consulted widely by the sub PIUs. More consultations will be carried out with women and women's organizations as part of the wider continuous stakeholder engagement during project implementation.
During the consultations, were aspects of SEAH raised by the participating women?	No	Moderate Risk	SEAH reporting and management protocol will be prioritized during the consultations, with an emphasis on survivor-centred approaches.
Does the project area include areas of high poverty?	Yes	Substantial	The counties in the arid and marginalized area of Kenya have high poverty levels. The project will also be implemented in some urban areas with high poverty levels.
Is the project located in regions that are difficult to supervise (remote or difficult to access areas)?	Yes	Substantial Risk	Kenya's ASALs, make up 89% of the country's total land surface meaning that project activities are purely in ASAL and therefore spread over a wide area. The project will be implemented in all the 47 counties of Kenya. About six of these counties of Turkana, Wajir, Isiolo, Mandera, Lamu and Tana River experience conflict. These conflicts range



Project Context	Response	Risk Rating	Comment
			from the perennial animal banditry to extreme violence from militia groups.
Is the project located in an urban, peri-urban, or rural area?	Rural, peri-urban and Urban	Substantial Risk	The project will be implemented in all the areas rural, peri-urban and urban areas.
Are project activities on a school route or other routes that women and girls use to carry out their daily activities	Likely	Moderate Risk	The proposed project activities will most likely locate in or near schools and on school routes due to activities related to digital connection to schools. Nonetheless, the contractor's worker will be lean with close supervision. All workers will sign the project's code of conduct.
Are women working near men without supervision?	Likely	Low Risks	Project workers will be supervised but there is the possibility that men and women may work in proximity, given the nature of the activities.
Is there a National Action Plan on Addressing Violence Against Women and Girls/GBV	Yes	Low Risk	The Client ICTA Authority has a GBV Policy and a gender focal point in place. The National Policy for the Prevention and Response to Gender Based Violence - 2014 and Legislative Framework on Sexual and Gender Based Violence for County Governments - 2017 are in place in Kenya. The provision in that law required county governments to adopt county specific gender-based violence framework.
Is there at the National level SEAH Working Group	Yes	Low Risk	The SEAH Sector working group is under the National Gender Sector Working Group (GSWG). There are also, county based SEAH sector working groups which will be ideal in supporting this Plan.
Is there a National referral protocol for	Yes	Low Risk	Majority of counties have support for GBV survivors in place or in nearby towns or county headquarters. These services would be available to the projects. Most counties have active GBV



Project Context	Response	Risk Rating	Comment
SEAH Service Provision			wellness centers that are well equipped offering, medical, psychosocial, and legal services. There are few safe houses available supported by with the national or county government. GBV services in arid and marginalized areas are mostly offered by non-governmental organizations and civil society institutions. These services will also be available to survivors under the project.
Does the project have the capacity to monitor the risks of harassment and gender-based violence throughout the scope and cycle of the project?	Yes	Low Risk	<p>Yes, the project will adopt and resource SEAH Prevention and Response Plan and a SEA/SH focal point will be present at PIU Level.</p> <p>The project will also leverage on existing gender and GBV officer at county level to support the project.</p> <p>The project will also form partnerships with Gender and Social Development officers located at county level who will provide monitoring of GBV incidences under the project.</p>
Do the project beneficiaries know where to get help regarding SEAH? Are there police stations with SEAH Desks? Are there toll free SEAH reporting telephone lines?	Yes	Moderate Risk	There is widespread awareness of SEAH risks in the Kenyan population and there exist SEAH support and care services in every county. Kindly refer table on service providers in each county. These, however, may not be fully accessible to people living in the rural areas where the project will be implemented mainly due to high levels of poverty, low literacy and lack of awareness also means that communities in these rural areas most likely do not have adequate information on SEAH risks or reporting mechanisms and services available to them.
Evaluation of SEAH Risk in KDEAP	Moderate		



4 ADDRESSING SEXUAL EXPLOITATION AND ABUSE RISKS IN THE KDEAP

4.1 World Bank Requirements

The World Bank Group recognizes that World Bank-financed Projects can increase the risk of SEA/SH in both public and private spaces by a range of perpetrators in several ways. Based on the protocol laid out in the WB GBV Good Practice Note, a GBV (SEA/SH) risk assessment was conducted on the KDEAP, and it shows the likelihood of GBV (SEA/SH) risks related to employees. The assessment rates the level of risks at “moderate”. The following are the risk factors:

- Both national lifetime prevalence of intimate partner violence (physical and sexual) and sexual violence and child marriage are likely to occur during the life of the project.
- Risk of SEA/SH by project personnel e.g., the representatives from the various financial institutions, and national treasury officials who may ask for sexual favors from women and girls.

4.2 GBV (SEA/SH) Programming Guiding Principles

- Be survivor-centered: Approach considerations related to SEA/SH mitigation and response through a survivor-centered lens, protecting the confidentiality of survivors; practicing nondiscrimination, centering their safety, and treating them with agency, dignity and respect for their needs. For adults it means following the survivor’s wishes and recognizing the survivor as the principal decision maker in their own care. For children it means ensuring that the best interest of the child is always the primary consideration in all actions concerning a child. In relation to incidents of SEA/SH involving children, the child’s wishes and opinions on their situation should be considered in determining the best interests of the child.
- Emphasize prevention: Adopt risk-based approaches that aim to identify key risks of SEA/SH and to undertake measures to prevent or minimize harm.
- Build on existing local knowledge: Engage community partners—local leaders, civil society organizations, gender and child advocates—as resources for knowledge on local-level risks, effective protective factors and mechanisms for support throughout the project cycle.
- Be evidenced-based: Build on existing global research and knowledge on how to address GBV effectively.
- Be adaptable: Adapt and adjust prevention and mitigation measures to respond to the unique drivers and context in any given setting, using the operational guidance presented in this GPN, which provides the foundation for an effective SEA/SH risk management approach.
- Minimize harm to survivors: The project staff must be trained on how to preserve the confidentiality and safety of survivors while safety planning, and/or referring survivors to services. Survivors may suffer physical harm and other forms of violence if partners/perpetrators discover that they have been talking to others about their personal relationships. Because many violent partners/perpetrators control the actions of women with whom they are in a relationship, even the act of speaking to another person without their permission may trigger a woman’s abuse. As such, asking survivors or complainants about violence should be confidential, and should take place in complete privacy, with the exception of children under the age of two. Consent for any data collection, even as part of an incident case file, should be offered and if anonymity can be guaranteed, it should also be provided. Where mandatory reporting requirements apply, any complainant should be advised of this before they share information or disclose any incident of GBV.
- Enable continuous monitoring and learning: Ensure operations integrate mechanisms for regular monitoring and feedback to track effectiveness and to build internal knowledge of what works to prevent, mitigate and respond to SEA/SH.



5 GBV PREVENTION AND RESPONSE MECHANISM FOR KDEAP

The Kenya Digital Economy Acceleration Project (KDEAP) makes use of the ICTA's Sexual and Gender Based Violence Policy and the already existing systems for managing SEA/SH in Kenya and will be guided by the Kenya Legal and Institutional Framework for Kenya already in place in management of the SEA/SH risk for the project.

5.1 ICTA Gender Mainstreaming Policy (April 2021)

The Gender Mainstreaming Policy for ICT Authority derives its foundation from the Constitution of Kenya 2010, which recognizes human dignity, equality, non-discrimination, and equity, to achieve a cohesive society for sustainable development. ICT Authority is committed to the promotion and achievement of gender equality at all levels of its operations.

The policy provides two broad objectives and strategies for the attainment of gender equality at all levels; it also provides for the Monitoring and Evaluation (M&E) for accountability and the achievement of set objectives.

Administration of the Gender Policy is vested in the Chief Executive Officer (CEO), DCS and the Head, Human Resources (HR) and Administration. Implementation of the policy shall be informed by the principle of consultation involving all the concerned parties. The gender mainstreaming policy puts in place a gender mainstreaming committee, appointed by the CEO comprises of:

- a) Chairperson appointed by CEO;
- b) Vice Chairperson;
- c) Head, HR and Administrations;
- d) Other members from other Departments;
- e) Human Resource Officer and
- f) Gender Focal Officer who shall be the Secretary.

The Gender Committee is responsible for:

- a) Advocating for compliance with the not more than 2/3rds gender principle in recruitment, career development and promotions;
- b) Promoting employment opportunities for special interests groups (women, youth and PWDS) through advocating for Affirmative Action;
- c) Identifying gender mainstreaming concerns;
- d) Ensuring the gender workplace policy is implemented;
- e) Promoting gender mainstreaming in programming;
- f) Carrying out surveys to establish gender gaps or areas of concern;
- g) Formulating action plans and budgets once gender gaps are established;
- h) Promoting continuous awareness creation and sensitization for staff;
- i) Ensuring that audits and performance management are carried out on issues of gender mainstreaming;
- j) Monitoring and auditing implementation and compliance of the policy;
- k) Developing annual work plans for gender mainstreaming in line with the ICTA strategic plan and policies;
- l) Advising Management and other relevant bodies on gender mainstreaming; and
- m) Advising Management in the event there is a violation of this policy.



The gender mainstreaming policy also put in place a Gender Focal Office who is responsible for:

- a) Promoting gender sensitivity and synergies throughout all the Authority;
- b) Enhancing awareness and skills of staff in considering differences between men and women when designing, implementing, monitoring and evaluating programs;
- c) Gathering gender-related materials and data on gender issues;
- d) Conducting a systematic review of the Authority procedures to put in place gender analysis as part of programming or improving the existing systems;
- e) Facilitating the development of gender-sensitive performance indicators as part of program components to monitor and evaluate progress;
- f) Recommending the creation of structures to ensure gender balance; and promotion of equal opportunities for women especially in recruitment and training; and
- g) Monitoring, reviewing and appraising gender responsiveness as a key performance result area.

The Authority Board is committed to advancing Gender and equality throughout the organization and its programme. The ICT Authority Board will improve the ability of men and women to work creatively and effectively in the organization.

The Authority believes that women and men are actors in and beneficiaries of development. Sustainable socio-economic development calls for participation by all. Thus, integrating gender perspectives into the activities of the Authority is sound public governance and will help to strengthen the impact of gender mainstreaming. The Policy guides the Authority in leading positive transformation around quality service delivery with a view of having equality, equity and full enjoyment of human rights by all. The Policy covers the following areas:

1. Recruitment and selection: To promote fair recruitment and selection practices, retention, equal distribution of working resources and improve gender balance in the organization.
2. Training and career development: To promote fair training and career development practices, equal distribution of training opportunities and improve gender balance in the organization.
3. Gender and governance: The Objective is to promote equity and equality between men and women at the Authority in line with the National values and principles of inclusivity.
4. Gender-based violence and sexual harassment: To ensure that employees treat each other with respect and dignity without engaging in relationships that may be construed by the general public to be immoral and not sexually harass other officers either covertly or overtly.
5. Human and financial resources: To facilitate gender mainstreaming initiatives in the organization, ICTA will enhance human and financial resources to facilitate gender activities, engender the corporate budgeting process and promote linkages and collaborations in resources mobilizations for gender mainstreaming.
6. Conducive work environment: To endeavor to provide safe, healthy and productive work that respects principles of equality and inclusion.
7. Gender and diversity: To promote principles of equality and inclusion of vulnerable and marginalized groups in ICTA Activities/ programmes.
8. Partnership and collaboration : To build and nurture strategic partnerships with key and relevant stakeholders and partners.



5.2 ICTA's Sexual and Gender Based Violence Policy (April, 2021)

The ICTA Sexual and Gender Based Violence Policy is in line with the Constitution of Kenya of 2010, which recognizes that every person should be free and able to enjoy his/her working environment free from all forms of harassment and discrimination whether from the basis of ethnicity, national or social origin, religion, political affiliation, gender or any other form of personal identity. The policy also acknowledges the provisions of Sexual Offences Act, 2006; Employment Act, 2007; and Counter-Trafficking in Persons Act, 2010.

ICT Authority abides by the Presidential Directives on two-thirds gender principle; and the 30 percent procurement reservations for the Youth, Women and Persons With Disabilities amongst others. Moreover, the legal prohibition of discrimination in employment on basis of sex is stipulated in the Employment Act, No. 11 of 2007 which the Authority also adheres to.

In this regard, the Authority strives to eradicate Sexual and Gender-Based Violence (SGBV) in its workplaces as an invaluable measure to sustainable and inclusive human dignity and development. The Authority commits to ensure SGBV prevention and response mechanisms are in place and shall institutionalize the fight against SGBV with all stakeholders who share common vision with the Authority. ICTA adopts positive measures aimed at achieving SGBV free working environment.

The Policy seeks to ensure that all employees of the Authority and other stakeholders shall enjoy the “non-discrimination” and “human dignity” rights as spelt out in the Constitution. This will further contribute to enhanced service delivery.

According to the Policy, GBV refers to physical, sexual, economic or psychological violations which are subjected to individuals and/or a group of persons based on social expectations of men and women. The Policy focuses on the following forms of Gender Based Violence;

- a) Physical: which includes battering, confinement, ritual killing, forced early marriage and murder);
- b) Psychological: which includes Verbal abuse, Servitude, humiliation, isolation, Desertion, insults, and threats;
- c) Sexual Abuse: this includes all forms of forced sexual acts including rape (systemic, date, gang and marital rape), forced dry sex, incest;
- d) Socio-economic: which includes exclusion from decision-making, deprivation of necessities, property grabbing and human trafficking;
- e) Socio-cultural: this includes harmful traditional and cultural practices such as Female Genital Mutilation (FGM), wife and property inheritance, early and child marriage, dowry and bride price abuse.

5.3 GBV (SEA/SH) Prevention in Kenya Applicable for the Project

The Kenyan Government has up in place mechanisms to prevent GBV (SEA/SH) that include:

- a) Preventive Laws and policies: Gender mainstreaming across laws, policies and, programmes; Enactment, amendment and implementation of laws and policies in line with the Constitution, international and regional human rights commitments. Implementation of Standards and guidelines for GBV (SEA/SH) prevention at public and private service delivery centres.
- b) Harmful Social Cultural Practices and norms: Develop an advocacy and public awareness strategy for GBV (SEA/SH). Engage men and boys as allies, advocates, role models,



champions and change agents in advocacy against GBV (SEA/SH). Provide alternative sources of income for female circumcisers.

- c) Enforcement: Capacity development of institutions and service providers responding to GBV (SEA/SH) across sectors including teachers, healthcare workers, Police, Chiefs, Magistrates, and Judges.
- d) Curriculum development: Integrate GBV (SEA/SH) training as part of the training curricula for Police, medical doctors, and schools.

5.4 Access to Quality and Comprehensive Responsive and Support Services

The National Guidelines on the Management of Sexual Violence (2014) details the management of sexual violence and outlines the steps for the treatment of sexual violence survivors:

- a) The government continues to ensure access to services. This involved the capacity development of institutions and service providers responding to GBV (SEA/SH) across sectors.
- b) Standards and guidelines to regulate GBV (SEA/SH) response across sectors.
- c) Healthcare and psychosocial support services are available in healthcare facilities in Nairobi these services are available.
- d) Reporting of GBV (SEA/SH) perpetrators, as guided by the provision of the code of conduct issued by public service and police services available.
- e) Establishment of gender desks within police stations that provide safe spaces for GBV (SEA/SH) survivors to report.
- f) Enhanced legal aid services for GBV (SEA/SH) victims through collaboration with the National Legal Aid Service (NALEAP), Law Society of Kenya (LSK), and legal aid-providing civil society organizations.
- g) The public service code of conduct includes disciplinary measures for perpetrators of sexual harassment at the workplace.
- h) Creation of awareness of existing services for increased uptake.
- i) Development of a national directory for GBV (SEA/SH) service providers
- j) Development of a multi-sectoral and multi-stakeholder GBV (SEA/SH) referral mechanism.

5.5 Coordination

Kenya has established a multi-stakeholder and multi-dimensional coordination framework for GBV (SEA/SH) interventions across all levels. This has involved partnerships among stakeholders along thematic areas of operation for the establishment of referral infrastructure and linkages cutting across sectors working on GBV (SEA/SH) response and the establishment of a rapid response mechanism for GBV (SEA/SH) response.

5.6 Data Management and Monitoring & Evaluation

Kenya has established a comprehensive GBV (SEA/SH) monitoring and evaluation framework cutting across sectors at the national and county level.

5.7 Research and development

The Government undertakes periodic studies, surveys and research to inform policies and programmes addressing GBV (SEA/SH).



5.8 Resource Mobilization Towards Sustainable GBV (SEA/SH) Response and Prevention Programmes

The government continues to ensure that there is sufficient budgetary allocation by Government to implement this the GBV (SEA/SH) policy by promoting a gender-responsive budgeting, strengthening collaboration with development partners, fostering public-private partnerships, providing technical support to key government institutions charged with implementing the GBV (SEA/SH) policy, through the ministry of devolution and planning.

5.9 Sustainability

The GBV (SEA/SH) policies promotes community participation, integrating GBV (SEA/SH) strategy into existing financing mechanisms and fostering inter-agency cooperation in the delivery of GBV (SEA/SH) services.

5.10 Institutional Setup for Management of GBV (SEA/SH) in Kenya

As guided by the legal framework, institutions involved in the management of GBV (SEA/SH) include:

- a) Ministry responsible for Gender: Overall leadership and coordination in policy implementation, resource mobilization, data aggregation and analysis.
- b) National Gender and Equality Commission: Provide oversight on the implementation of the Policy by state and non-state actors.
- c) Ministry responsible for Health: Delivering GBV (SEA/SH) health-related services at national and county levels such as health services, psychosocial support to survivors, health financing, trauma counseling, treatment of victims/survivors, and community health awareness. Effective participation in multi-sectoral referral infrastructure. Providing continuous capacity building to staff on GBV (SEA/SH) health-related services and provision of relevant data and research services.
- d) Ministry responsible for Security: Overall provision of security to create an enabling environment for GBV (SEA/SH) prevention. · Investigation and arrest of potential and actual perpetrators of GBV (SEA/SH). · Continuous training of the Police Service to handle gender-based offenses. Relevant data collection.
- e) The Attorney General's Office: Administration of justice for GBV (SEA/SH) victims/survivors · Ensuring a standardized and coordinated government approach on matters relating to GBV (SEA/SH). · Streamlining the development and implementation of legislation. Particularly developing and reviewing legislation to strengthen and accommodate modern methods of evidence delivery.
- f) Directorate of Public Prosecutions: Investigation and prosecution of GBV (SEA/SH) cases· Relevant Data collection.
- g) Ministry responsible for Education: Formal education curriculum design and review towards prevention and awareness creation of GBV (SEA/SH) manifestation at primary, secondary and tertiary levels of education. · Ensure safety for all students from gender-based violence in learning institutions. · Enlightening and sensitizing parents, community and stakeholders on the contributory factors of gender-based violence and the need for protection from gender-based violence.
- h) Judiciary: Develop Bail and Sentencing policies to assist in determining cases of GBV (SEA/SH) in a manner consistent with the law and constitution and ensure the speedy determination of cases. · Increase and improve the institutional capacity of all courts to deal with gender-based crimes. · Ensure that Magistrates and Judges are comprehensively trained



on matters of gender-based crimes. Ensure full implementation of the Witness Protection Act in relation to gender based criminal cases. · Develop and constantly review rules relating to gender-based crimes.

- i) Ministry in charge of Labour: Ensure that employers and employees adhere to legal provisions on GBV (SEA/SH). Adopt Codes of Conduct aimed at tackling GBV (SEA/SH) in the workplace and design appropriate GBV (SEA/SH) prevention and response mechanisms.
- j) Public Service Commission: developed a code of conduct for public service officers to follow that includes sexual harassment and disciplinary measures related to offenses related to sexual harassment.
- k) Defence: Ensure compliance with national and international standards.
- l) Kenya Bureau of Statistics: Data collection management and analysis.
- m) County Governments: Establish facilities and infrastructure necessary for GBV (SEA/SH) responses at the County level. Collect and aggregate information on prevention, occurrence, responses related to GBV (SEA/SH) Implementation of GBV (SEA/SH) programmes · Monitoring and review of GBV (SEA/SH) elimination programmes and delivery at the County level. Coordinate the referral infrastructure for survivors/victims across the different sectors in the County. Provide shelter houses for survivors of GBV (SEA/SH). Build the capacity of local administration to effectively speedily and appropriately handle cases of GBV (SEA/SH). Create public awareness on GBV (SEA/SH) and ensure that Chiefs and Assistant Chiefs register all cases of GBV(SEA/SH) in their areas.
- n) Ministry responsible for Justice: Expand access to justice for the vulnerable groups and victims:
 - Reform and expand legal aid services to provide effective and efficient services to vulnerable groups including victims of gender based crimes.
- o) ICT Authority: Implementation of the Sexual and Gender Based Violence Policy.



6 Grievance Mechanism (GM)

6.1 SEA/SH Grievance Management

The project will put in place a GM with multiple channels to facilitate confidential logging in of SEA/SH complaints in all the project locations these will also integrate the existing government grievance reporting mechanism. It will be necessary to identify and integrate SEA/SH entry points within the GM with clear procedures and tools for safe, confidential, and ethical management of related complaints. Considerations related to SEA/SH will be integrated into GM explicitly developed for project workers.

As part of the overall project, consultations on the GM with affected communities (particularly with women, girls and people living with disabilities) will be done to determine the preferred alternatives to in-person complaints (e.g., phone, online, other). The process will emphasize confidentiality and anonymity. This project GM will adapt lessons from other projects to strengthen accountability to communities and identify a range of issues by holding periodic team meetings to discuss any workplace concerns.

In setting up a GM to facilitate resolution of SEA/SH complaints, the project will be guided by the following principles:

- i. *Confidentiality:* At all stages of the intervention, the privacy and confidentiality of survivors will be assured, prioritizing the well-being of survivors and that the delivery of services and support will not compromise the privacy or identity of individuals involved.
- ii. *Respect:* Respect of the wishes, dignity and choices of the survivors will be always observed and during all stages of any intervention. Survivors will be supported to give their free and informed consent, based on a clear understanding of the facts, implications, risks, and consequences of an action, before information is shared or action is taken.
- iii. *Safety and security:* Awareness and consideration of any risks or safety concerns that might compromise the physical safety of individuals affected by SEA/SH will be sufficiently addressed and factored into any SEAH intervention or initiative.
- iv. *Non-discrimination:* All SEA interventions will be designed to ensure access and the same level of quality of care and assistance for all persons seeking support, or persons affected by SEA, without regard to sex, sexual orientation, gender identity, age, ethnicity, religion, or other status.

As guided by the SEA/SH good practice note, the project will adopt a survivor-centered approach to managing SEA/SH complaints including the use of SEAH victims' referral centers. The focus of GM would be confidentiality to protect the privacy and choices of the victim, and urgency to preserve evidence and access assistance and care for the victim. For these reasons the complaint is not expected to follow a uniform pattern. The complainant will be free to use any avenue to report including text message, email, phone call, written note, or word of mouth in person to trusted colleague, member of the GM, SEA/SH service provider, or local non-governmental organisations, civil society organisations, among others. If the complaint is received by any other person or entity other than the designated SEA/SH services provider, the case should be referred as soon as possible thereafter to the service provider.

The process of assistance will follow the steps below. The person that receives the complaint/report will inform KDEAP immediately. The PC arranges for any required emergency support and care in coordination with the designated SEA/SH service provider and simultaneously refers the case to



the service provider. In the meantime, the service provider contacts (in all cases) the PIU to report any SEA/SH incident to the Bank within 48 hours.

The only information to be collected from the person reporting will be:

- i. demographic data, such as age and gender;
- ii. the nature of the complaint (what the complainant says in her/his own words);
- iii. whether the complainant believes the perpetrator was related to the project; and
- iv. whether they received or were offered referral to services.

The project will put in place the necessary mechanisms to address SEAH. The proposed mitigation measures as per the risk level in the current project are as follows:

- i. Define SEA/SH requirements and expectations included in the contractual obligations as well as reinforce CoCs that address SEA/SH in the project locations to cultivate an environment free from SEA/SH as well as regular dissemination of the CoC to the workers;
- ii. Ensure a GBV specialist is in place to support SEA/SH risk management measures;
- iii. Develop and deliver information, education, and communication materials for stakeholders to indicate that the project and/area is a SEAH free zone, as well as provide information on SEAH response services (such as hotline numbers and where to seek assistance when needed). Other information to be highlighted includes:
 - No sexual or other favors can be requested in exchange for services;
 - Project staff are prohibited from engaging in SEAH and this information should be clearly spelt out during training and other forms of communication to the staff;
 - Any case or suspicion of SEA/SH should be reported to [hotline number, GM or citizen engagement/feedback mechanism];
 - Information on protection of whistleblowers; and
 - The range of services available for survivors including healthcare, protection and psychosocial care.
- iv. Identify and map SEA/SH service providers to ensure information is made available to health service providers on where psychosocial support and emergency medical services for survivors of SEA/SH can be accessed (within the healthcare system);
- v. Develop SEA/S/SH prevention policy and response procedures that outline key requirements for reporting cases if they arise, measures to enable safe, ethical, survivor-centered response and disciplinary processes;
- vi. Train all project staff and workers (where feasible) and integrate understanding of the CoC, SEA/SH as well as accountability and response framework including the referral processes, responsibilities and reporting in other trainings; and Utilizing the GM developed under the project with a separate channel to manage SEAH-related complaints to enable reporting in a safe, confidential survivor-centric manner. Cases of SEA/SH can be reported through the general Project GM – through the suggestion box, or through the GM Hotline Operator, phones calls, emails etc. to be developed). The project GM will ensure all incidents of SEA/SH reported either through the general GM system that is related to the new project are relayed to the project implementation coordinator and Bank within 48 hours.



6.2 SEA/SH Reporting Process

The SEA/SH reporting process is characterized by two cardinal elements namely, confidentiality and urgency. Confidentiality to protect the privacy and choices of the victim, and access assistance and care for the victim. For these reasons the complaint is not expected to follow a uniform pattern. The complainant will be free to use any avenue to report including text message, email, phone call, written note, or word of mouth in person to trusted colleague, member of the GM, SEA/SH service provider, or local non-governmental organisations and civil society organisations, among others. If the report is received by any other person or entity other than the designated SEAH services provider, the case should be referred as soon as possible thereafter to the service provider.

The process of assistance will follow the steps below. The person that receives the complaint/report will inform KDEAP Project Coordinator immediately while ensuring confidentiality is maintained at all times. The PIU arranges for any required emergency support and care in coordination with the designated SEA/SH/GBV expert or identified service provider and contemporaneously refers the case to the service provider. The PIU to report any SEA/SH incident to the Bank within 24 hours.

Meanwhile complaint is referred to the SEA/SH Complaints Team which:

- Reviews the case and collectively agrees upon the appropriate actions to be taken and sanctions, if any, including whether an investigation is warranted.
- The Survivor may refer the case to the police as appropriate, according to the law.
- Assigns the appropriate ‘Focal Point’ to implement the actions—with the assistance of the SEA/SH expert or Services Provider—in accordance with their employment contract and the appropriate code of conduct if applicable.
- Upon resolution, the Focal Point and SEA/SH Services Provider advise the survivor that it has been resolved, who in turn advise the GM operator.
- The GM operator notes the resolution and closes the case.



7 GENDER BASED VIOLENCE REFERRAL PATHWAYS

The recommended approach by the World Bank in managing SEA/SH incidents/cases is the survival-centered approach, therefore the project team ensures that there is sufficient security for the victims once reporting has been done. The survivors are also accorded support in the steps and tools required for reporting until the matter is resolved. A referral mechanism is an important tool for effective reporting and management of the case.

Table 1: Template for a Referral Mechanism

Telling Someone and seeking help (Reporting)			
Survivor/client tells colleagues, safeguards specialists, human Resource officers, family, friends, community members or service providers. That person accompanies the survivor to the health of psychosocial entry point.		Survivor/client self-reports to any service provider	
IMMEDIATE RESPONSE			
The service provider must provide a safe, caring environment and respect the confidentiality and wishes of the survivor/client, learn the immediate needs and give honest and clear information about the services available. If agreed and requested by the survivor/client, obtain informed consent and make referrals, and accompany the survivor/client to assist her/him in accessing services.			
Medical/health care entry point-SEA/SH	Psychosocial support entry point -SEA/SH Adult	Psychosocial support entry point SEA/SH Child – Under 18	
List of health facilities or other entities offering SEA/SH care and support at the district level	Agencies (list agencies operating in the district)	The Children's Services and other organizations involved in child protection.	
If the survivor/client wants to pursue police/legal action or if there are immediate safety and security risks, for example, if the survivor/client is a minor (under 16 years), refer and accompany the survivor to the police/security or the legal assistance for information.			
Safety and Security		Legal Assistance Counsellors	
AFTER IMMEDIATE RESPONSE, FOLLOW-UP AND OTHER SERVICES			
Over time and based on survivor's/ client's choice can include any of the following			
Healthcare	Psychosocial Services/Case Management	Protection, Security and justice actors	Basic needs – Children's services, safe shelter
Refer to facilities identified as able to handle SEA/SH cases (each County has facilities that manage SEA/SH.	This could be accessed at health facilities or through partners (CSOs, CBO or FBOs)	Agency name: The Mounted Police, Ministry of Labor and Social Protection, National Gender Commission. SERVICES: <ul style="list-style-type: none"> • Arrest perpetrator – police. • Gather evidence and complete file for case. 	Agencies: Children's services SERVICES: Livelihood program, life skills/vocational training/ entrepreneurship



		<ul style="list-style-type: none">• Inform survivor/client and witnesses on court hearing.• Provide physical protection/safe shelter• Provide legal counseling.• Offer transport, accommodation and meals for the survivor and witnesses and family members to attend court.	
--	--	---	--



8 INSTITUTIONAL ARRANGEMENTS AND MONITORING OF THE SEA/SH PREVENTION AND RESPONSE ACTION PLAN

8.1 Gender Management System

The project SEA/SH Prevention and Response Action Plan will be implemented and monitored through the already existing Gender Management System within the Ministry of Information, Communication and Technology and Digital Innovation (MICDE) and the ICTA Authority.

In addressing issues of SGBV the State Department, has established a system to support a coordinated approach towards SGBV prevention and response. This includes structures and management tools used by the ICT Authority for the management of SEA/SH risks under the KDEAP.

8.2 Structures

The responsibility for managing SGBV under the MICDE and ICTA is shared by all and driven from the top management level while ensuring that specific responsibilities and expertise are vested in strategically positioned structures within the ICT Authority.

The system includes a gender mainstreaming Committee whose key role is to process the SGBV cases whenever they arise. It comprises of six persons who are members of the Gender Mainstreaming Committee whose attributes include: high integrity, relevance, competency, accessibility, approachability and confidentiality. All Departments/Directorates and Units are key in ensuring the policy objectives are achieved and maintained. There is also a gender focal point in place.

8.3 Implementation Framework

The effective implementation of the SGBV Policy is a collaborative effort by all players of the Authority. Thus, the coordination of SGBV programmes is achieved through the participation of:

Top Management

The Sexual Offences Act, 2006 stipulates the roles and responsibility of the employer as follows:

- i. Create awareness about sexual harassment;
- ii. Commit to support a working environment that is free from sexual harassment;
- iii. Assure workers of disciplinary measures against any perpetrator;
- iv. Provide protection to the victim/survivor; and
- v. Provide an avenue for complaints of sexual harassment.

Gender Mainstreaming Committee

- i. Develop guidelines on prevention, response and reporting structure for all SGBV cases;
- ii. Monitor and advise on applicable SGBV prevention and response mechanisms;
- iii. Identify capacity needs, facilitate capacity building and carry out sensitization on SGBV.
- iv. Coordinate, monitor and evaluate the implementation of the Policy;



- v. To receive and listen to reported cases of SGBV, processes them and make recommendations;
- vi. Prepare quarterly reports on SGBV;
- vii. Ensure the Authority plans, projects, programs and policies incorporate SGBV prevention mechanisms;
- viii. Ensure continuous mobilization and networking of stakeholders to support implementation of the Policy;
- ix. Coordinate SGBV data collection to facilitate reporting;
- x. Coordinate the SGBV Committee;
- xi. Coordinate the dissemination of the Policy to stakeholders;
- xii. Coordinate capacity building on SGBV issues/concerns in the Authority;
- xiii. Carry out surveys on SGBV prevention and response mechanisms in the Authority; and
- xiv. Submit quarterly reports to the appointing Authority, NGECC, and share a copy with the State Department for Gender Affairs.

ICT Authority employees

- i. Familiarize and adhere to the provisions of this Policy;
- ii. Participate in SGBV Capacity Building Programs and activities; and
- iii. Report any cases of SGBV to the Committee.

Project consultants, contractors and suppliers

- i. Familiarize and adhere to the provisions of this the SGBV Policy and the project SEA/SH Prevention and Response Action Plan;
- ii. Participate in SGBV Capacity Building Programs and activities; and
- iii. Report any cases of SGBV to the ICTA.

8.4 Monitoring and Evaluation of the SGBV Policy and the SEA/SH Prevention and Response Action Plan

For efficient and effective coordination and implementation of the policy, and the SEA/SH Prevention and Response Action Plan monitoring and evaluation shall be critical in achieving the laid down strategies. Implementation shall be monitored quarterly and annually evaluated to measure progress. The key responsibility for monitoring and evaluation remains with the Gender Office and the Gender Mainstreaming Committee. However, each department/division/section and regional office shall be expected to submit quarterly reports for compilation.



Table 2 : SEA/SH Prevention and Response Action Plan Matrix

	Activities to be taken to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who will monitor)	Output Indicators	Estimated Budget (country currency)
1.	Sensitize project actors (project core team) on the important of addressing SEA/SH on the project and the mechanisms that will be implemented.						
a)	Training on SEA/SH to include: <ul style="list-style-type: none"> • ICTA SGBV Policy. • Accountability and response framework. • Grievance mechanism and referral pathways. • Confidentiality and whistle blower protection clauses. 	Develop SEA/SH training materials including PPT, briefing notes for project officials, supervising engineers, contractors, project workers and the grievance committees. Schedule separate training sessions for various project officials and workers. Training of project consultants and contractors. Train project actors with the aid of PPT training materials.	June 2024 Ongoing twice each year	ICTA GBV Focal Point Social Specialist under PIU County gender officers.	Project coordinator	Training material and content to aid sensitization of project actors available. Project workers have clarity on SEA/SH prohibitions on the project and are empowered to contribute to mitigation and reporting of cases.	USD 50,000
b)	Continuous learning through annual refresher training.	Adapt existing training material to facilitate refresher training. Organize and conduct annual refresher training for all project workers to enhance capacity for continuing SEA/SH mitigation, prevention, and response.	Annually	ICTA GBV Focal Point Social Specialist under PIU County gender officers.	Project coordinator	Project workers have clarity on SEA/SH prohibitions on the project and are empowered to contribute to mitigation and reporting of cases.	USD 30,000



2.	Conduct SEA/SH assessment: on contractors, project activities and project sites									
a)	Conduct an SEA and SH risk assessment on sub-projects and activities to inform risk mitigation strategies	<p>Request all contractors and supervising contractors to include SEA/SH screening in the E&S risk screening for projects</p> <p>Review the screening process to include human resource manuals and staff capacity, existing GBV policies and procedures, project code of conduct, and advice on mitigation and response measures to be considered on SEA/SH.</p> <p>Assist contractors and consultants to integrate mitigation measures in relevant E&S risk instruments including SEP, ESIA and ESMP.</p>	<p>Once contractor and supervision consultants have been identified.</p> <p>Throughout the project implementation period.</p>	<p>ICTA Authority GBV focal point.</p> <p>Contractors' sociologist</p> <p>Supervising consultant's sociologist</p>	<p>Gender officer at the County government</p> <p>PIU Coordinator</p>	<p>Supervising engineers and contractors have detailed measures and procedures to address SEA/SH related risks.</p>	<p>USD 50,000</p>			
3.	Map out GBV prevention and response service providers able to provide care to SEA and SH Survivors									
a)	Provide a list of GBV service providers in the project area able to provide care and support SEA and SH survivors.	<p>Implementing agencies to adopt the WBG GBV service providers mapping checklist and share with safeguard focal person.</p> <p>Orient safeguards focal persons in the application of mapping checklist.</p> <p>Identify and visit potential service providers and complete assessment on quality of services provided with mapping checklist.</p>	<p>Once contractor and supervision consultants have been identified.</p> <p>Once subprojects and project activities are defined.</p>	<p>ICTA Authority GBV focal point.</p> <p>Contractors' sociologist</p> <p>Supervising consultant's sociologist</p>	<p>Gender officer at the County government</p> <p>PIU Coordinator</p>	<p>GBV service providers' information available and made accessible for use by the project grievance mechanism.</p>	<p>USD 50,000</p>			



		Prepare mapping report and link quality service providers to the project grievance mechanism.					
4.	Monitoring and Evaluation of the SGBV Policy and the SEA/SH Prevention and Response Action Plan						
a)	<p>Monitoring of the implementation of the SEA/SH Action Plan</p> <p>Monitoring is aimed at developing a set of key quantitative and qualitative indicators to manage measure and monitor the progress and effectiveness of the integrated effort to deal with SEAH.</p> <p>It measures how well the policies are being adhered to, any issues that might emerge in regard to SEAH and recommendation to improve any situation that may arise.</p>	<p>Implementing agencies will monitor implementation of the SEA/SH prevention and response plan.</p> <p>Develop instruments meant to measure the magnitude of reported cases of SEAH categorized in their various forms, such as child sexual abuse</p> <p>Mechanism to measure effectiveness of the various support systems to respond</p> <p>Conduct at least three-time survey to assess: project workers attitudes</p>	<p>Throughout the project implementation</p> <p>Monitor implementation throughout Project implementation</p> <p>Annual</p>	<p>ICTA Authority GBV focal point.</p> <p>World Bank mission every six month.</p>	<p>PIU Coordinator</p>	<p>Number of instruments that integrate and monitor SEAH</p> <p>Monitoring reports on workers' attitudes, compliance to CoCs,</p>	



		<p>towards the acceptability of SEAH by gender.</p> <p>Develop mechanisms to measure the impact of Public Education, Awareness Creation and Campaigns conducted by the SEAH teams.</p> <p>From time to time set up process indicators to assess how the project is being implemented.</p> <p>Monitor and account for activities under the National Strategic Action Plan.</p> <p>World Bank mission follow up on implementation of the SEA/SH prevention and response plan.</p>				<p>Monitoring reports on SEAH incidence reporting and referral (access to services).</p> <p>How effective is the support and interventions offered to victims of SEAH?</p> <p>How many success stories have been reported in relation to SEAH?</p> <p>Shift in attitude of project workers.</p> <p>Annual monitoring reports</p>	
5.	Grievance Management (GM) for SEAH Responsive Reporting						
	The purpose for GM is to safe channels for reporting any cases of sexual harassment or sexual exploitation and abuse.	Review and amend the existing GM to ensure it meets the SEAH needs that currently exist. This should include evaluating the existing entry	First three months after disbursement	GBV Consultants and GM focal points	PIU coordinator, PIU and county	GRM features dedicated	Continuous



	<p>The focus is confidentiality to protect the privacy and choices of the victim, and urgency to preserve evidence and access assistance and care for the victim</p>	<p>points (are they safe and reliable, accessible), and establishing protocols for safe and confidential data sharing, collection, and storage.</p> <p>Guide the community and employees on the channels of reporting cases of SEAH and what constitutes sexual harassment as per the guidelines.</p> <p>Outline for the employees the penalties and disciplinary actions that will be taken against anyone that breaches the code of conduct.</p>	<p>GM to remain vibrant throughout the project implementation</p>		<p>management</p>	<p>operating procedures and response protocols to handle SEA/SH allegations</p> <p>Number of sessions held with relevant stakeholders (community members, workers, etc.) on existing GRM</p> <p>Periodic GRM report with sustained effective case management/resolution (e.g. evidence of survivors receiving support/services)</p> <p>Number of GRM users who know</p>	
--	--	--	---	--	-------------------	---	--



						<p>about and are report confidence in using existing GRM</p> <p>When victims of sexual harassment can easily reach out to report an attempt of action of violence against them and receive a supportive response immediately.</p>	
--	--	--	--	--	--	---	--