

A portrait of Millie Odhiambo, a woman with dark curly hair, wearing a light-colored patterned top and gold hoop earrings. She is looking directly at the camera with a slight smile. The background is a blurred green outdoor setting.

## IMPACT STORY



# REWRITING KENYA'S LAWS TO WORK FOR WOMEN AND GIRLS

Photo: UN Women/Luke Horswell

Millie Odhiambo, 55, is one of Kenya's fearless women politicians. The legal frameworks she has ushered through Parliament provide unprecedented protection for victims of crime. Although sexual harassment and election-related violence often plague women politicians in Kenya, Odhiambo and her peers are proving that women deliver for gender equality and the protection of survivors. She is also pushing for enforcing existing quota laws.

"The way sexual offences were handled in court used to horrify me. I made noise and the judges said, 'our hands are tied; the law allows it.' I was told by magistrates 'if you don't like the law, then fix the law.' And that's what I did," said Odhiambo. She noted that it was not only about awareness or lack of representation, but also that the laws themselves were defective. "Gender discrimination was allowed under the old constitution."

In 2010, Kenya adopted a new constitution and Odhiambo was one of 27 parliamentarians on the dedicated parliamentary committee. She has since introduced a series of legislation to better protect victims of crime, particularly women and girls. Within Parliament, she introduced the Victim Protection Act, which brings in victim statements about how a crime has impacted their lives. A victim's fund has also been set up whereby judges can now decide on the spot to offer compensation. "For

**Photo above:** Millie Odhiambo was nominated a Member of Parliament in 2008 and went on to be elected twice. She will stand for election again in 2022.

## PARTNERS FOR CHANGE

The **Women in Leadership Programme in Kenya**, led by UN Women and funded by the **Government of Finland**, has been working to increase women's representation in decision-making since 2014.

In 2017 the programme provided leadership training to all women aspirants to Parliament, including Millie Odhiambo, in partnership with the **Kenya Women Parliamentarians Association**. This was possible with the additional support of the project Strengthening Electoral Processes in Kenya, a basket fund under **UNDP, UN Women** and the **Office of the United Nations High Commissioner for Human Rights**, with funds from the **European Union, Italy, Germany, Ireland**, the **UK Department of International Development** and the **US Agency for International Development**.

In 2019 and 2020, UN Women supported the development of the curriculum *Women in Political Leadership* with the **Ministry of Public Service and Gender** and the women-led organization **Echo Network Africa**. This year, 100 women who aspire to run in Kenya's elections in 2022 have completed the course.

the first time, we're looking at the person who is offended," explained Odhiambo. "I've also focused on simplifying the court process [because] when you're dealing with human rights issues, technicality should not override justice."

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—MILLIE ODHIAMBO, *Member of Parliament, Kenya*

Kenya's Constitution includes a "two-thirds gender rule," which means that at least 33 per cent of parliamentarians should be women, combining nominations to reserved seats and elected seats. Despite heavy lobbying and numerous court orders, currently, only a little over 20 per cent of the seats are held by women. So contested is the issue that Kenya's Chief Justice wrote an open letter in 2020 recommending that Parliament be dissolved for its failure to act.

"If you look at our history of electing women, our pace has been very slow. But, when given a chance through affirmative action, women have proven that they can win and they can deliver. I first came into Parliament nominated, but now I'm in my second elected term," Odhiambo noted.

**"Through fast tracked, equal power-sharing, women and men can collectively solve the urgent challenges of our time."**

—ANNA MUTAVATI, *UN Women Country Representative, Kenya*

In parallel to increasing women's representation in national legislatures, another important issue to tackle is election-related violence. Odhiambo is one of many women who have been targeted during elections, including facing sexual harassment from male peers: "I'm trying to demystify sexual harassment and violence as a tool against women politicians... My house was burned down, my bodyguard was killed. Looking ahead to the next general election is worrisome. Already, you can see candidates being heckled, people being beaten—and we're still a year away."

Violence against women in political and public life stops women from accessing power and silences their voices in decision-making. When women and their organizations are underrepresented, society as a whole suffers. "What we need in Kenya is full implementation of the gender

## WHY WOMEN IN PUBLIC LIFE AND DECISION-MAKING POSITIONS MATTER

- Although more women lead in public life, progress to reverse harmful norms and reach gender parity is too slow. Women make up just **24.9%** of parliamentarians worldwide, and only three countries have **50%** or more women in Parliament. At the local level, women hold over 2 million elected seats, or **36%**.
- Gender quotas increase women's representation in legislatures and other sectors when they are well designed and effectively implemented. Ambitious targets, enforcement and penalties for political parties' non-compliance are needed for countries to achieve their targets.
- Violence against women in public and political life is deliberately perpetrated to threaten women's participation, with online abuse and cyberbullying increasingly common. Women politicians, rights defenders, leaders of women's organizations and feminist groups are targeted online and offline with women of colour experiencing violence at disproportionate levels.

quota, especially in the national assembly, along with investment in building women's capacity to compete and lead in politics," said Anna Mutavati, UN Women Country Representative in Kenya. "Through fast tracked, equal power-sharing, women and men can collectively solve the urgent challenges of our time."

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