**Interview transcript- Senior lawyer, Government, Female, Nairobi**

Interviewer:

Okay. So like you know me, I am Nerea Amisi, I am doing my PHD in gender and extractive industries, my topic specifically is discuss analysis of gender in extractives, so I am looking at issues to do with identities, to do with politics, those are the majors, issues to do with policies, how women are integrated or disintegrated within the industry, what various stakeholders and government are doing to make it seamless, how laws and policies are written, are they more appropriate for women? Things like that. It’s just a chat really.

Respondent:

Alright

Interviewer:

So if I can just ask you a general question. What are your thoughts about the place of women today in Kenya?

Respondent:

That’s a very interesting question and it’s fairly I think generic because we are tax payers, we are workers, we are definitely contributors to the workforce so I think our place is apparent every day and must be given priority in that regard, again this is just my pedestrian sort of interpretation. I am not a gender specialist, I have never done any studies but I would be hard pressed to distinguish the contribution of women Vis a Vis the contribution of men. I think we certainly have a critical contribution not just to the economy but to the whole functioning of the society. That’s my view

Interviewer:

Oh great, and what do you think is your identity as a woman in the oil industry sector.

Respondent:

That’s a very interesting question because it’s not until last year I happened to be undertaking some studies in Australia that I started thinking of myself as a woman in the sector and don’t get me wrong, I have never thought I am a man or you know… it’s just that all of a sudden I was presented with the inclination that caused me to pause and think women do have certain and special needs, or special considerations that are distinct from those of men. For example a woman of child bearing age, if she opts to have children, will definitely be out of commission for a 12 month period, at least in terms of her ability to work at 100%. Your know gestation period is 9 months then the legal position is that I think you have 3 months unpaid leave. I am not sure whether it’s unpaid or paid. So basically you have 1 year where you will not be able to attend to your duties as you would if you were a man. In fact one of the reasons we couldn’t meet when I was available is because you were taking your son to school. And it struck me that that is something that is unique to women, you don’t hear many fathers say, I can’t come to the office because my son is sick unless there is a situation in their lives which has removed the participation of the primary care giver who is the mother. So it’s only from last year that I started thinking of myself in terms of my female identity. I have never had reason to think that I am at a disadvantage in any way for having been a woman. In my class growing up, I was literally those kids who were always no 1 and no 2.i remember even my parents through boyfriends told me that one of them told them I told him that that our relationship had to end because I thought I was smarter than him and I don’t remember it, but it sounds very much like me, it sounds like something I would say. (laughs) so it’s only recently that I start seeing that as a woman there are certain prejudices, there are certain liberties people take especially we do live, we do exist, we do trade in a very patriarchal society, a lot of the people in authority tends to be a very male dominated industry and even then its older men, so sometimes I’ve heard for example, I have been in meetings where somebody walks in and because you are the only woman, they don’t even mean to be biased, they will ask you to serve them tea, they will ask you where the washrooms are, they will ask you when lunch is going to be served, this are things you know , you will ask yourself why would they ask you such a question, is it because you are the only woman in the room or because you are the youngest woman in the room. So there are those things I noticed then and I have my personal views about them but they have not to date been an impediment to me at personal level, but I do feel as I get into, as i think about maybe having a family and so on and so forth, I should say, ami down with having children, but as I think about those things I am becoming aware of the fact that I will have to make certain adjustments, I will have to make certain long-term provisions for all that.

Interviewer:

What about, you have mentioned something about prejudices towards gender and does this also play out in your work place?

Respondent:

I think so, because I don’t know where else you sort of meet them blatantly, oh no that is not true, traffic, you know when you are driving and certain drivers, there will be certain aggression directed towards you because you are a lady, I mean I can’t prove it but it’s definitely a feeling and there are certain liberties such matters will take from you because you are a lady. In the work place, its not blatant, remember we are trying to adopt progressive laws. We have seen in the international scene, the effect of not taking women seriously in the world. In the last 1 year, about 15 months there has been this hash tag ‘Me too” movement that has brought with it significant implications, significant consequences for people who have abused their power especially when it comes to the remuneration of their women staff, essential overtures towards their women staff, you know, lack of equal pay for equal work done. So there is a bias but I cannot say for example that I have faced maybe a lack of opportunity or a lack of progression because I am a woman. Infact to be fair we have the one third gender rule now in this country, I don’t know when it was implemented but I can say that there have been advantages to being a woman.my personal view of the one third gender rule is that, I think that all affirmative action programs, because that’s what I think it is, you have to be very careful, you have to strike a balance because being a woman is not a qualification, it’s a mistake of nature, and what such rules do or what I think they should do. The intention behind them is to give you a foot in the door or give you a seat at the table as well. But once you get a foot at the door or once you get a seat at the table then you have to earn your key. I find a lot of times, that’s through my nature, you get that out of 7 managers, 2 or3 are women in the whole team. You find that by virtue of the fact that if you had 7 candidates who are all completely qualified and 2 are women, the law is in favor of the women which is good if you have the same level of qualifications, but if you don’t then the bar has been lowered for you. The problem with that is to avoid diluting the potency of the qualifications, you really must, I think work a little bit harder to prove yourself. So I do think the law in Kenya is friendly in such a way that there are no policy bias but if a woman chooses to pursue that professional line, I think that she has to be aware that she has to make some sacrifices, I am not convinced that the employer has to pay for those. So if you have to pursue formal employment and chances are if you have children, you are married or settled, a dual income is better than a single income. So if you choose to pursue formal employment, you have to give the employer what they are paying you. The employer should be sensitive to your needs as a woman, obviously they should for example not deny you your maternity leave but I don’t think the point is to setup a work environment like a home environment. You are still competing with other people and you still have to put your best foot forward. I hope I answered your question.

Interviewer:

Yes you did. So having worked in the petroleum industry for a while, what sort of laws and policies within the workplace and in general do you think are there to safe guard the role of women in the industry and participation as well?

Respondent:

I think, it could be in my ignorance, for which I give a thousand apologies, i am not aware that there are any specific privileges within the petroleum industry or within the extractives industries that pertain to women’s interests. What I do know is that the employment rate I the country is uhh, I can’t say gender neutral but I think they take special recognition of the fact that women have with them certain peculiarities, like I know cases of where someone has severe cramps and can’t come to work now that is something that is only within a woman. Someone with a child will have to be given a little bit more consideration. You will remember at the awake forum one of the ladies said that she is happy that among her colleagues most are women and its structured that incase she has to be off for 3 weeks, she also has 3 weeks off, so I mean in our industry it is not yet that far advanced so I cannot speak about the peculiarities within the petroleum sector. But I think our Labour laws and generally our country laws especially from a government perspective, I think it would be unfair to say that they don’t consider gender to be an issue. I think I have seen it with my former bosses, my former colleagues, whereas there is a certain liberty like in terms of the level of jokes that some would find inappropriate but you will also find that they are not even aware that there are legal implications, you try to lets say make sense of certain discussions in a social setting ….

Interviewer:

So you think the ones that are there are appropriate for the needs of women in the petroleum sector

Respondent:

Ummmm. Again I will reiterate that I am not very farmiliar with the provisions

Interviewer:

That is just about your experience

Respondent:

In my experience I think my testimony would be very good because there is no roadblock that I have met in the profession. There is no roadblock that I have met by being a woman. So I can be able to apply for and secure opportunities just like my male colleagues, i have also applied for and gotten regrets just like my male colleagues, I think, specifically that corruption depends on nepotism in terms of tribalism is a bigger barrier to my progression than barriers based on the fact that I am a woman. I think that is how I would put it. If you knew the boss and you are going to maybe have a discussion with him and he promised to give the opportunity to you, there is a higher likelihood that I will not get that opportunity but not because of the fact that I am a woman so it could be because of corruption factor but not because I am a woman, I think also whereas I can’t speak to the vibrancy of the law, I can’t say women do business differently, for example I have seen it with a lot of my male colleagues that they are happy to conclude a board room discussion in the bar or over drinks or you know , whatever, you know after hours, but these are my male colleagues. But my female colleagues have different means because come home time they have to go back to their children, they have to figure out how supper is being made, bluh bluh so to that extent being a woman would be a barrier in the sense that if someone decides to have a discussion outside business hours hat is obviously a deterrent and would be a deterrent to many women who essentially have to have time balance, their professional and personal needs. Unfortunately not many of us, at least as much as I know have the means like your partner being supportive but might not have the financial strength to keep you at home. You may want to be a house wife but the realities, the financial responsibilities at hand may not extend that luxury. So you shouldn’t have to pay by going home consistently at 11 midnight. That would definitely bring an issue in your home a scenario where you can’t produce at work and at home, you know you running late, you are tired, so that is to me what I have observed that could potentially be a challenge

Interviewer:

So if I could ask, on issues like discrimination, harassment, have you heard of anyone who have experienced such at their work place and what did their bosses do about it?

Respondent:

I haven’t experienced that personally in terms of observing, not at my work place, but on my way home I have experienced inappropriate suggestive language being directed at me, I have experienced, I have also seen things I feel are crude, also in one or two occasions I have experienced inappropriate touching, you know like someone is passing and they brush against you and maybe there was no reason for them to touch you. But I think the nature in my view of some of this things is that they happen in a split second and as soon as it starts its over and I think it calls for a degree of wisdom because when you spend your time in the bosses office explaining that he looked at me like this, or he said this to me or he touched me or brushed against y back, he spoke to me in a manner not within the specified rules which should be common knowledge, so I think, like I said personally I haven’t experienced such and really the times that I have felt uncomfortable because of somebodies speech or because of the intent of inappropriate touching, I disengage, you know I just walk out of the room, I tell them blatantly please do not touch me. I do it politely and try and keep it professional but I also try to be explicit about it, you touched me in a manner that is inappropriate I say, watch it please don’t touch me again, I don’t like it. If you needed to pass you should tell me to get out of the way and I have had friends who have been assaulted but not in the work place but then again our sexual offences act. You know i think offences of a sexual nature must be handled very delicately.it wasn’t until very recently that we even had dedicated units in police stations otherwise if you are raped and you go to the police station then the man there is tired, he is bored, he is looking at you and he asks you, is this what you were wearing? As if to suggest that if you weren’t wearing this then you would not have been assaulted, so I think the culture is changing, the laws are definitely trying but there is a difference between theory and practice because a woman who has been assaulted would rather not go through the trauma because it’s a real traumatization, its doubling trauma to go and report when you are exposing yourself to someone who will either not take you seriously or tell you any way it happens don’t worry, you know what do you do? But to answer your question I have not experienced such a scenario at my workplace. But if I did I would also not be afraid of standing up for myself.

Interviewer:

Okay, and what is now from a government perspective, from someone who works in government what sort of laws and policies are included, especially participation of women?

Respondent:

Unfortunately I don’t know, I haven’t, it could be that I haven’t experienced any barriers hindering my own progress, I know what protections are in place to protect my needs as a woman but I also haven’t had the need to but upto this point in my career I haven’t felt that there is any barriers to my progress by virtue of being a woman, Infact I think the space around our constitution, the space surrounding us are very progressive so if a woman I think is aggressive, you know you can be aggressive without being aggressive that is in terms of seeking out opportunities and being consistent in following up. I think for such a person there are no barriers.

Interviewer:

I think that was my last question, thank you