A Report on Gender Audit of the Situation of Women & other Vulnerable Human Rights Defenders in Kenya

Work Done, Work Emerging And Work Needed: A Human Rights Perspective To Holistic Protection
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Work Done, Work Emerging and Work Needed: A Human Rights Perspective to Holistic Protection
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Foreword

The Kenya National Commission on Human Rights (KNCHR) is an independent National Human Rights Institution (NHRI) established under Article 59 of the Constitution of Kenya 2010 and operationalized through the Kenya National Commission on Human Rights Act, 2011. Section 8 of the KNCHR Act spells out the mandate of the Commission which broadly covers promotion and protection of human rights for all.

KNCHR recognizes that the human rights discourse require concerted input of individuals, groups, organizations and institutions whose efforts are geared towards addressing gross violations of human rights. People who individually or jointly work with others to enhance promotion and protection of human rights are referred to as HRDs. A particular section of HRDs comprising of WHRDs (WHRDs) has emerged. It has been so passionate, dedicated and courageous in raising fundamental questions about power balance and gender roles in the society.

Due to their clashing roles with existing status quo, WHRDs have become vulnerable to attacks from various fronts, because of who they are and what they do. Although they face same risks as any other HRDs, WHRDs face additional gender-specific violence due to their relentless insistence on challenging social norms and stereotypes. Criminalization of their actions and struggles, gender violence and death threats to both themselves and their families are just some of the many risks they face every day in their line of duty. This impacts negatively on their security and their right to defend other people’s rights. It is in this regard that KNCHR commissioned a study on the situation of women and other vulnerable HRDs, with the aim of understanding their roles, risk factors facing them and best practices for their protection. KNCHR hopes that this report will enhance the need to find a gender-specific, integrated protection mechanism that takes into account cultural, political and social contexts in which WHRDs operate and live.

Kagwiria Mbogori,
Chairperson KNCHR
The Kenya National Commission on Human Rights (KNCHR) prepared this report with the support of the German Cooperation. KNCHR would also like to acknowledge and appreciate the contribution of individuals and groups that provided information towards the writing of this report. The conceptualization, design and writing of this report would not have been possible without the excellent support from the following KNCHR staff; Dr. Bernard Mogesa, Amos Wanyoike, Jude Boy and Clement Kemboi. The final report was reviewed by Patricia Nyaundi and Dominic Kabiru.
## Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
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<td>HRDs</td>
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<td>WHRDs</td>
<td>WHRDs</td>
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<td>SGBV</td>
<td>Sexual and Gender Based Violence</td>
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<td>PWDs</td>
<td>Persons With Disabilities</td>
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<td>KNCHR</td>
<td>Kenya National Commission on Human Rights</td>
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<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<td>NGOs</td>
<td>Non-Governmental Organizations</td>
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<td>CSOs</td>
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<td>FBOs</td>
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<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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Executive Summary

The Kenya National Commission on Human Rights (hereinafter “the KNCHR” or “National Commission”) has prepared this report as part of its statutory mandate under the Kenya National Commission on Human Rights Act, 2012, to advise the Government on matters of human rights, including making recommendations for policy and law reforms. This report is prepared with the core aim of advising the Government, on policy, legislative and administrative reforms needed to enhance the working environment for women and other vulnerable HRDs.

The protection of women defenders falls squarely within international legal obligations of all states to ensure the realization of the fundamental human rights for all. WHRDs require differential support and protection that responds to the specific threats they and their families face that differ from those of their male counterparts. To acknowledge the role of Women in society, the African Union declared 2016 the year of human rights with special focus on women. The timing of this report by KNCHR cannot be overstated as a response to this call.

The core objectives of the study were to explore the role of women and other vulnerable HRDs in promoting human rights in Kenya. The study also sought to identify the risk factors and human rights violations committed against WHRDs and other vulnerable HRDs. The study further aimed at examining the proactive measures put in place to protect WHRDs and other vulnerable HRDs and to explore the best practices towards protection of HRDs in Kenya.

A key conclusion of this report is that the protection of WHRDs is essential for peace, security, development and the respect of all our human rights. Despite protecting HRDs falling under the protection of legally binding international instruments, such as the International Covenant on Civil and Political Rights, many WHRDs in Kenya remain at high risk of a plethora of threats including arbitrary arrest and detention, physical violence, threats, intimidation and harassment. The reluctance of the Government in protecting WHRDs, but moreover its active role in restricting their rights represents a breach of the
state’s obligations to respect, protect and fulfil human rights and dangerously restricts the environment in which WHRDs operate.

Key finding from the audit study show that 52% of WHRDs responded that there was insufficient state protection on the activities of women and other vulnerable HRDs in Kenya.

The study established that the most common crime that WHRDs have been unjustly accused of committing in their line of duty was incitement to violence and disobedience to law (37%). This offence is occasioned by methods, such as protests and picketing, that the Women and other vulnerable HRDs employ in order to seek audience with the duty bearers. The study further established that the police and local chiefs were the common perpetrators of human rights violations at 56%. They were responsible for the arbitrary arrest of WHRDs. Community members and politicians were also cited as notable perpetrators at 24% and 13% respectively. This significantly places duty bearers at the Centre of human rights violation in Kenya.

The study established that the most common form of human rights violations mentioned by WHRDs included; domestic violence which was represented by 29%. This was evidenced by the high prevalence rate of SGBV. Physical assault at 24% and arbitrary arrest (19%). Death threats and sexual assault represented 16% and 12% respectively.

The audit study further established that numerous factors were contributing to human rights violations against WHRDs. A disturbing fact is that 42% of WHRDs mentioned patriarchy, poverty and inequalities as the main factors of human rights violation against WHRDs.

Findings from the audit study further showed that a significant proportion (53%) of WHRDs believes that the National and County governments were solemnly responsible for the safety of HRDs. Even though most of the respondents agreed that there were measures put in place for the safety and dignity of HRDs a combined 47% did not believe that HRDs would be secure with the government’s safety interventions.
The study makes the following key recommendations:

- There is need for enhanced awareness creation forums for politicians, community members and state agencies especially the police on the important role of WHRDs in promoting human rights. Collaborative civic education and sensitization forums are recommended as a strategy for enhancing human rights awareness for target groups;

- In terms of access to justice, there is need to guarantee a prompt and impartial investigation of violations committed against WHRDs and the prosecution of those responsible. Investigations should use a women’s rights framework and take into account the context in which WHRDs work and the patterns of attacks that often target them;

- It is crucial that the State promotes and protects the rights to freedom of expression and association enshrined in the International Covenant on Civil and Political Rights. All individuals, including HRDs, have the right to express themselves and associate freely, without fear of threats, intimidation, violence, arbitrary detention or enforced disappearance;

- There is need to foster a culture of human rights in which the fundamental role played by HRDs in guaranteeing democracy and the rule of law is recognized publicly and unequivocally. The commitment to this policy should be reflected at every level of the State – National and County and in every branch of government; executive, legislative and judicial;

- It is crucial for WHRDs to foster a strong working relation with the male counterparts so that what they champion does not seem to be just ‘women’ affairs. In doing so, they will harness the collective public confidence that is highly desired in doing their work and

- WHRDs need not only localize their networks, but also strengthen their links with the national level organizations as this will enable them to pool their resources together and collectively voice their concerns against human rights violations.
Introduction

1.1 Background to the Study

Development can only have a beneficial outcome for women, when the working culture, structure, systems and procedures, and underlying values of the institutions which shape women’s lives themselves reflect a concern for gender equality. The Declaration on HRDs (HRDs) recognizes the important role of HRDs, including women rights defenders outlines relevant rights of all HRDs and obligations of States. WHRDs (WHRDs) face the same types of risks as any human rights defender would face, but as women, they are also targeted or exposed to gender-specific threats and violence. Due to this, WHRDs are subjected to stigmatization and are ostracised by community leaders, faith-based groups, families, communities and duty bearers who consider them a threat to norms, values and culture through their work.

The threats faced by WHRDs come in many guises (physical, psychological, sexual, economic and social) and may be conditioned by the interaction of multiple factors, including poor governance, absence of the rule of law, an upsurge in religious and political intolerance and fundamentalism or tensions over development issues and more so limited knowledge on human rights. Numerous actors (political, economic, religious, State or non-State) may be involved, by act of commission or omission, in committing violations against HRDs.
HRDs who challenge social and cultural norms, *(they do not fit stereotypes and prescribed roles)*, or who challenge power structures in society, such as defenders of sexual orientation and gender identity rights, women defenders and defenders working on the rights of minorities and indigenous people, are often stigmatized and subjected to threats and attacks from members of society because of who they are or what they do. Defenders in conflict zones and in occupied territories are also more vulnerable to continuous insecurity and threats.

Gender influences the manner in which WHRDs experience risks and threats. Discrimination on the basis of gender is linked to other factors, such as ethnicity, religion, class, age, health or sexual orientation. The intersection of these factors produces different vulnerabilities for women. For this reason, it is critical for gender analysis to adopt an intersectionalist lens, examining how the combination of such factors has an impact on the rights and security of women defenders. Protection measures must therefore be gender-sensitive and suited to the specific needs and situations of such defenders who are at risk.

The Declaration on HRDs acknowledges the legitimacy of participation in peaceful activities to protest against violations of human rights and recognizes freedom of assembly as a very important element. Without a guarantee of this right and protection against its violation by State officials and non-State entities, WHRDs will be restricted in their ability to fulfil their fundamental role of protecting and promoting human rights. The right to freedom of assembly includes numerous forms of assembly ranging from a meeting inside a private residence to meetings and conferences in public places, demonstrations, vigils, marches, picket lines and other kinds of assemblies, indoors or outdoors, with the aim of promoting and protecting human rights. Although all defenders are potentially vulnerable in situations where they are exercising the right to freedom of assembly WHRDs often face more risks when participating in collective public action because of perceptions of the traditional role of women in some societies, and they become targets of non-State actors. In some cases, retaliation against them takes such forms as rape and sexual assault, which can have adverse social consequences in addition to causing physical bodily harm.

Discrimination against WHRDs is particularly acute in Africa, where violence against women is often normalized and treated with impunity. The UN Special Rapporteur on the situation of HRDs noted that attacks on WHRDs are often gender-specific, including sexual harassment, sexual violence and rape. Other examples in which violence is manifested against WHRDs include sexual mutilation, forced impregnation, sterilization, sexual slavery and sexual baiting.
Less obvious forms of gender violence exist as well. WHRDs are at risk of domestic abuse related to their activism “where activism is seen as unacceptable, inappropriate, or un-feminine.” ¹ While States are primarily responsible for the protection of HRDs in their territory, “violations of human rights on the part of security forces, particularly against youth and women, is on the rise.” When the government is responsible for abuses committed against WHRDs, or refuses to protect WHRDs who come under threat, other countries must enter the arena to aid this vulnerable population in its fight for justice.

The obligation on States to protect includes both negative and positive aspects. On one hand, States must refrain from violating human rights and on the other hand, States should act with due diligence to prevent, investigate and punish any violation of the rights enshrined in the Declaration. In other words, States should prevent violations of the rights of WHRDs and vulnerable HRDs under their jurisdiction by taking legal, judicial, administrative and all other measures to ensure the full enjoyment of their rights. This is achievable by investigating alleged violations, prosecuting alleged perpetrators, and providing WHRDs and vulnerable HRDs with remedies and reparation.

The aim of this research study is to quantify the scale and types of violence against WHRDs and their families, communities and organizations, as well as to describe the characteristics of these attacks, including potential gender dimensions and on a larger scale so as to inform national intervention policies and programmes.

1.2 Justification

In the Kenyan context, making state and non-state actors accountable for human rights violations has become more frustrating than ever before. The work of women and other vulnerable HRDs is more dangerous than before. Coming from an African society, where heteronormativity and patriarchy is common in most cultures, WHRDs have had to do their work within a context where democratic principles are being undermined making them more vulnerable and exposing them to targeted attacks including rape, isolation from the community among many others. In authoritarian regimes, HRDs are arrested, detained, harassed or killed for carrying out their activities. Given the prevailing patriarchal and hierarchical conditions in the Kenyan society, women HRDs, disability rights defenders, LGBTI activists and youth HRDs face additional specific risks. It is

¹ Barcia Inmaculada and Penchaszadeh Anal, Ten Insights to Strengthen Responses for WHRDs At Risk, ASS’N FOR WOMEN’S RIGHTS IN DEV. available at http://www.awid.org/Library/Ten-Insights-toStrengthen-Responses-for-Women-Human-Rights-Defenders-at-Risk
essential to ensure that WHRDs as well as men are protected and supported in their work and indeed, that such vulnerable individuals are fully recognized as human right defenders.

1.3 Objectives of the study

1. To explore the role of women and other vulnerable HRDs in promoting human rights in Kenya;

2. To assess the risk factors and human rights violation committed against WHRDs and other vulnerable HRDs;

3. To examine the proactive measures put in place to protect WHRDs and other vulnerable HRDs and

4. To explore the best practise towards protection of HRDs.

1.4 Study questions

1. What role do WHRDs and other vulnerable HRDs play in promoting human rights in Kenya?

2. What are the risk factors faced by WHRDs and other vulnerable HRDs in Kenya?

3. What are the human rights violations experienced by WHRDs and other vulnerable HRDs in Kenya?

4. Are there proactive measures put in place to protect WHRDs? And if so, are the measures effective?

5. What are some of the best practices of protecting WHRDs?

1.5 Scope and research sites

With regard to the geographical scope, the study covered 6 counties namely; Nairobi, Nakuru, Bungoma, Baringo, Turkana and Elgeyo Marakwet.
1.6 Methodology

This study adopted a survey research design to carry out a gender audit on the situation of women and other vulnerable HRDs in Kenya. This design was chosen because the intention was to comprehensively generate information on the situation of WHRDs in Kenya. The survey approach was instrumental in narrating the risk factors and human rights violation committed against WHRDs; the proactive measures put in place to protect WHRDs and the best practices towards protection of HRDs in Kenya.

The population for the study consisted of adult male and female members of the public who were living in the selected counties at the time of the study. Such adults were assumed to be working on various human rights issues in their counties. The study targeted to interview at least 80 WHRDs in each of the selected counties.

1.7 Data collection methods and tools

The study combined both quantitative and qualitative methodologies in obtaining and analyzing data. The quantitative approach employed the survey method, while the qualitative approach employed the Key Informant interviews. The study used descriptive statistics to analyze and present quantitative data in form of frequency and percentage representation of the variables.
2.1 Introduction

The Declaration on HRDs contains a series of principles and rights that are based on human rights standards enshrined in other legally binding international instruments, such as the International Covenant on Civil and Political Rights, in this connection, the State’s duty to protect all human rights includes the protection of the rights of WHRDs.

2.2 Role of women and other vulnerable HRDs in promoting human rights in Kenya

In this era of globalization, the heightening advancement of the society, technology has added to the risk of violation of rights. Thus it is accepted everywhere that apart from the State, the work and the role of HRDs is fundamental for the universal implementation of those rights, and for the full existence of democracy and the rule of law. The main objective of HRDs is to bring all the rights written in black and white into reality.

Defenders play a key role in safeguarding democracy and ensuring that it remains open, pluralistic and participatory and in line with the principles of rule of law and good governance. Therefore HRDs should be able to carry out their activities in an environment that empowers them to defend all human rights for all.
The United Nations High Commissioner for Human Rights noted that HRDs undertake to further the realization of any of the rights, which includes addressing summary executions, forced disappearances, torture, arbitrary detentions, discrimination, labor rights and the right to housing and forced evictions, among others. In addition, HRDs may carry out their work in certain categories of rights or persons, such as protecting the rights of women, children, indigenous peoples, refugees and forcibly displaced persons.

The OHCHR further indicates that there is no list of activities that are considered action in the defence of human rights. These actions may entail investigating and compiling information to report human rights violations, lobbying the national and international authorities to ensure they are aware of such reports or of a given situation, actions to ensure the responsibility of state authorities and eradicate impunity, actions to support democratic governance and to eradicate corruption, the contribution to implementing, on a national scale, the international standards established by human rights treaties and education and training in human rights.

**WHRDs in Kenya focus their activities as follows:**

- Seek the promotion and protection of civil and politics rights as well as the promotion, protection and realization of economic, social and cultural rights;
- Work at the local, national level and even international level supporting respect for human rights within their own communities and countries;
- Investigate, gather information and report on human rights violations;
- Act in support of victims of human rights violations at a very large proportion;
- Work to secure accountability for respect and observance of human rights legal standards and to strengthen the State’s capacity to prosecute perpetrators of human rights violation;
- Encourage the government as a whole to fulfil its human rights obligations and promote good governance;
- Make a major contribution, particularly through their organizations, to the material implementation of international human rights treaties.
- Undertake the provisions of human rights education in forms of training for the application of human rights standards in the context of a professional activity and
- Disseminating information on human rights standards to the general public or to vulnerable populations.
2.3 Risk factors and human rights violations committed against WHRDs and other vulnerable HRDs

WHRDs face the same risks as all HRDs, but they may suffer consequences which are specific to their gender. They can be subject to arbitrary arrest, detention, harassment, violence, torture and a host of other violations potentially unrelated to their gender, but with gendered consequences. They are also subject to threats or intimidation that extends to those intimately related to them, such as family members, colleagues or friends. Women, because they often have a specific role in connection to child raising and care-taking, are prone to such threats more frequently than their male colleagues.

According to a report by the National Coalition of HRDs-Kenya, the Human Rights Council highlighted the groups of HRDs that are mostly at risk to include Persons with Disabilities, Youth, Women and sexual minorities. The report also indicates that although they face same risks as any other HRDs, they are prone to specific threats and violence such as prejudices directed at women and reference to social norms that relegate women who struggle to end status quo and the societal power imbalance. They are disadvantaged even before they seek redress because they are isolated by families and criminalized by the state1.

POLITICAL STIGMATIZATION

WHRDs and their male counterparts are subjected in certain contexts, including accusations of being fronts for guerrilla movements, terrorists, political extremists, separatists, foreign countries or interests. WHRDs often face further stigmatization by virtue of their sex or the gender- or sexuality-based rights they advocate. As a result of this, women defenders often find themselves and their work subjected to stigmatization by both State and non-State actors. A common accusation directed in particular at those working on women’s rights, gender issues and LGBTI rights, is the assertion that these defenders are somehow advocating or attempting to import foreign or Western values which contradict national or regional culture.

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SEXUAL VIOLENCE AND RAPE

Violations faced by WHRDs takes a gender-specific form, ranging from verbal abuse based on their sex, to sexual abuse and rape. In certain cultural and social contexts, issues relating to rape and sexual abuse of women remain a taboo. Women working on such issues, including victims seeking redress, organizations representing victims or granting them shelter and organizations working with sex workers, among others, often face a hostile response from both society and State as a result of their work. Some of these violations are consequential; for example a WHRD arrested while helping victims of domestic violence being sexually assaulted by officers while in custody, accusing her of destroying harmony in the household.

CHARACTER ASSASSINATION/DEFAMATION OF CHARACTER

This involves the vicious verbal attacks on the WHRDs with the aim of tarnishing and destroying their reputation, and “putting them in their place”. It occurs frequently and is reported by many WHRDs in various contexts, alongside threats, bullying, sexual harassment, “labelling”, categorization, stigmatization, segregation and isolation.

“As members of women’s rights organizations, we have been labelled as bitter, divorced women aiming to destroy the institution of marriage, without any respect for the culture and place of women in society.” By a WHRD.

Because of their cause, women have been called all sorts of names like ‘impossible’ or ‘tomboys’, ‘not wife material’.
2.4 International and Regional Norms for the Protection of HRDs

In line with the Declaration on HRDs, the primary duty and responsibility to promote and protect human rights and fundamental freedoms lies with the State. This includes guaranteeing the right of everyone, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels (Art. 1). Thus, States have the obligation to undertake the required steps to create all conditions necessary, including in the political and legal domains, to ensure that everyone under their jurisdiction can enjoy all those rights and freedoms in practice (Art. 2), including the right to promote and defend WHRDs.

One of the key elements of a safe and enabling environment for WHRDs is the existence of laws and provisions at all levels, including administrative provisions, that protect, support and empower WHRDs, and are in compliance with international human rights law and standards. In countries where human rights are specifically recognized and protected in domestic law, the adoption of laws that explicitly guarantee the rights contained in the Declaration on HRDs is crucial in that it could contribute to building an enabling environment and give these rights legitimacy. Furthermore, such laws could contribute to building wider societal support for the demand of fulfilling these rights.

UN Commission for Human Rights has established a Special Rapporteur on the situation of HRDs (the “Special Rapporteur”) as part of its mandate to assist in the implementation of the HRD Declaration. Among other things, the Special Rapporteur receives information and individual complaints about the violation of HRD’s rights and can communicate with the relevant member States regarding these cases. The Special Rapporteur also undertakes country visits to investigate the situation of HRDs in a particular country and presents annual reports to the UN Human Rights Council.

The European Union (the “EU”) and the Organization for Security and Cooperation in Europe (the “OSCE”) have published guidelines on HRDs. The EU guidelines not only call upon EU missions to support HRDs and provide practical means of assisting at-risk activists, but also aim to assist the EU to support HRDs through its relations with non-EU countries and in multilateral fora, for example

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2 Ibid
by including the situation of HRDs in political dialogue and advocating countries to align their legislation with the UN Declaration. Similarly, the OSCE guidelines on the protection of HRDs also call on OSCE participating states to form HRDs’ protection mechanisms, both internally in their own territory and externally in third countries through their diplomatic relations.

2.5 Best practice towards protection of HRDs

The Security of WHRDs goes beyond having a bulletproof vest, or a bodyguard at their front door. It’s about the means to live without fear of being attacked and to be able to pursue their lives and their work in an environment free from violence. WHRDs’ approach to protection is that of integrated security which goes beyond the physical protection of an individual all the way to receiving recognition for their work.

A good practice in protecting women and other vulnerable HRDs contributes to the full respect of their rights and strengthens their security, including mitigating the risks they face, addressing threats and building support for their work. A number of protection initiatives have been particularly helpful in protecting HRDs in their work, such as protective accompaniment, regular contact and visits with HRDs, trial monitoring, urgent appeals, public statements, emergency grants, and relocation initiatives. In order for these interventions to be effective, they need to be timely, accessible and appropriately tailored to the circumstances of defenders.

Raising awareness among women and other vulnerable HRDs is critical in strengthening protection. In this context, there is an urgent need to popularize the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society who are Promoting and Protecting Human Rights and Fundamental Freedoms (Declaration on HRDs). Greater public visibility of threats to HRDs can serve a protective function- since knowledge is power. Indeed, public awareness of human rights and the situation of HRDs may even prevent human rights violations against WHRDs. Human rights education is a long-standing tactic of the human rights movement and should be directed at various audiences, including State officials, professional groups, students and the general public.

5 See A/HRC/31/55

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Rights education can lead not only to a better understanding of a State’s human rights obligations, but can also serve as a vehicle for understanding "the relationships that undergird the discourses and actions of human rights violators, human rights protectors, and human rights victims."

Formal and informal networks that connect defenders and supporters to each other are a key factor in protection. It is through such networks that information is shared, responses are coordinated, solidarity is expressed, resources are pooled and psychosocial support is given to defenders. Strong relationships allow rapid mobilization in times of crisis. Robust networks can mitigate the risks of surveillance, threats and attacks.

Security should not be defined as physical aspects alone, but should be understood as encompassing multiple dimensions, including economic security, political security, environmental security, digital security and psychosocial well-being. One aspect of security often neglected by defenders is their own well-being. The stress of human rights work often takes a toll on the mental, emotional and psychological well-being of defenders. Defenders should recognize the signs and symptoms of stress, depression, anxiety, vicarious trauma, post-traumatic stress disorder and burnout and must be supported in the prevention and treatment of them. It is vitally important for defenders to engage in self-care. Protection practices should focus on strengthening the security of defenders in a holistic manner.

CASE REFERENCE

Enhancing security, prosperity and promoting freedom are the three interlocking pillars of Dutch foreign policy. The Dutch HRDs strategy has five priorities: freedom of expression (including internet freedom and freedom of religion and belief), equal rights for all, support for HRDs, corporate social responsibility and a focus on tackling the most serious violators.

HRDs and their organisations work to advance fundamental freedoms in their societies, and in doing so they support further democratisation from the inside out. Support for HRDs remains one of the top priorities of Dutch human rights policy.

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Findings and Discussion

3.1 Introduction

This chapter is organized into the following sections.

1. Demographic characteristics of respondents;
2. The roles of WHRDs;
3. The types of human rights violations and nature of risk faced by WHRDs;
4. Factors contributing to human rights violation against women and other vulnerable HRDs
5. The proactive measures for protection of WHRDs and
3.2 Demographic characteristics of sample respondents

Table 1: Age of the respondents

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</tbody>
</table>

Table one above shows that majority of the respondents were in the 26-35 age category with 35% representation, followed by respondents in the 36-45 age category accounting 33% of the total respondents. The study therefore revealed that majority of WHRDs are in the youth bracket. This being the case the creativity and innovation capability of the youth is of importance in promoting and protecting human rights. It also points to the vibrancy of young people in taking to the fore the defence of human rights as opposed to the notion that the youth have not been entirely involved in the whole human rights discourse.

Figure 1: Respondents by Gender
The respondents were asked to indicate their gender and the outcome showed that the majority of the respondents were female at 70% while 30% were male. This was so since the research targeted mostly women who are human right

![Graph showing education levels of respondents](image)

The respondents were asked to indicate their level of education. The results in this study revealed that majority (35%) of the respondents had attained education up to college level, 32% up to secondary level while only 21% of the respondents has attained education up to primary level and only a smaller percentage (12%) indicated university level being their highest education level. The significance of this question was to find out the literacy levels of respondents, which is key for those in the defence of human rights to access local, regional and international legal frameworks for the protection of HRDs.

Table 2: Marital status of the respondents

<table>
<thead>
<tr>
<th>Marital status</th>
<th>Frequency</th>
<th>Percent (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Married</td>
<td>246</td>
<td>58</td>
</tr>
<tr>
<td>Divorced/Separated</td>
<td>23</td>
<td>6</td>
</tr>
<tr>
<td>Single</td>
<td>134</td>
<td>32</td>
</tr>
<tr>
<td>Widowed</td>
<td>18</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>421</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Table 2 characterizes the respondents in terms of their marital status with the “married” representing 58% of the total respondents. This is the largest margin of the four categories of responses and is higher than the other three respondents combined (6% separated/divorced, 32% single and 4% widowed). The question on marital status was significant in the study due to its effect in the defence of human rights, gender related roles and the dynamism associated with the work of women and other vulnerable HRDs whose responses are as shown in Table 2 above.
The respondents were required to assess the level of state protection on the activities and work of women and other vulnerable HRDs. The results in this study revealed that majority (52%) of the respondents indicated that there is insufficient state protection on the activities of women and other vulnerable HRDs. 25% cited that the state protection level is adequate while 16% reported their full satisfaction with the current level of state protection. Further, 7% of the respondents were of the view that the state protection on the activities and work of WHRDs was absent in totality.

### 3.2.2 Awareness of legal documents that protect HRDs

#### Figure 3: Knowledge on the legal documents that protect HRDs
Majority (64%) of the sampled WHRDs cited having knowledge on the legal documents that protect the work of HRDs while 36% of the sampled WHRDs cited having no knowledge of the basic legal documents that protect the work of HRDs. Thus those who understood the various legal frameworks that protect HRDs had better opportunities to engage with duty bearers and perform their duties according to the legal provisions that guide their work.

3.2.3 Protection of the Rights of WHRDs

The question sought to find out whether WHRDs and other vulnerable groups understood that they too have rights that should be protected. Majority of the respondents answered in the affirmative Yes (96%) while a paltry 4% were of the view that WHRDs and other vulnerable groups have no rights that need protection.

Figure 5: County institutional dialogue mechanisms

The respondents were asked whether their respective Counties had institutional opportunities intended for dialogue between HRDs and county government.
officials. The majority (47%) of the respondents agreed that there were established institutional dialogue mechanisms that they use to engage with county officials on human rights issues. However, 37% of the respondents were of the contrary opinion indicating that county institutional dialogue mechanisms were not there while 16% did not know of the presence of any institutional dialogue mechanisms in their counties.

Table 4: Level of agreement and disagreement on human rights issues

<table>
<thead>
<tr>
<th>Statements</th>
<th>N</th>
<th>SD</th>
<th>D</th>
<th>UD</th>
<th>A</th>
<th>SA</th>
<th>Mean</th>
<th>St.Dev</th>
</tr>
</thead>
<tbody>
<tr>
<td>The government officials have the necessary knowledge, skills, and attitude to carry out their work in a gender-sensitive or gender-aware manner?</td>
<td>421</td>
<td>16%</td>
<td>26%</td>
<td>6%</td>
<td>38%</td>
<td>14%</td>
<td>3.07</td>
<td>1.36</td>
</tr>
<tr>
<td>Community members of my county value and see our work as beneficial to their lives.</td>
<td>421</td>
<td>11%</td>
<td>23%</td>
<td>9%</td>
<td>40%</td>
<td>18%</td>
<td>3.33</td>
<td>1.23</td>
</tr>
<tr>
<td>The working environment in my county has improved for WHRDs over the past two years.</td>
<td>421</td>
<td>17%</td>
<td>29%</td>
<td>11%</td>
<td>34%</td>
<td>9%</td>
<td>2.90</td>
<td>1.28</td>
</tr>
</tbody>
</table>

*N= total population sample, SD = Strongly Disagree, D = Disagree, UD = Undecided, A = Agree and SA = Strongly Agree*

The findings show that most of the respondents (38%) agreed and 14% strongly agreed with the statements that “the government officials in their county
have the necessary knowledge, skills, and attitude to carry out their work in a gender-sensitive or gender-aware manner." 26% disagreed with the stated statement here above. A few of the respondents at 6% were undecided with the statement. The results implies that continuous capacity building workshops on gender sensitivity should be put in place for county government officials to the satisfaction of those who responded negatively to this statement.

The findings show that most of the respondents agreed with the statements that “community members in their county value and see their work as beneficial to their lives”, making up 40% and those who disagreed being 23%.

The statement on whether “the working environment in the counties where the WHRDs has improved for them” yielded a 34% response in support while 29% of respondents disagreed with it. The 11% of those who were undecided with the statement paint a picture of uncertainty, hence allot need to be done to better the working environment for HRDs.

Figure 6: Presence of gender participatory methods

Under this category, the respondents were to indicate whether their counties use participatory methods to incorporate the views and preference of both male and female in discussing human rights issue affecting their respective county. The percentage of respondents who felt that there was gender-inclusive participation to a limited extent was 42% of total respondents. Those who viewed the gender participation as being moderate for both males and females represented 27% of the total respondents. Those who felt that their counties have fully incorporated
gender dialogues in human rights issues represented only a smaller percentage of 5%. Further, 23% of the respondents were of the view that their counties do not involve gender participation at all and 3% were not aware if their counties use gender inclusive methods in discussing human rights issue affecting the county.

3.3 Roles of WHRDs in promoting human rights

3.3.1 Roles of WHRDs

To examine the key role played by WHRDs in promoting human rights in the community, respondents were asked in an open-ended question to indicate the main roles that have had the most impact in their community: Figure 7 below summaries the results.

Figure 7: Roles of WHRDs

Figure 7 above shows various types of roles played by the respondents in the study. Most of the respondents (19%) worked mostly as human rights awareness campaigners, with 16% advocating for women’s rights. Those who fight against harmful traditional practices and work on promotion of rights of the marginalized and disadvantaged groups represented 15% and 14% respectively. A cumulative 25% represented the respondents whose roles touched directly on the defence of victims of human rights violations and direct assistance. Those who were at the fore in fact finding mission concerning violations represented 6% while 5% assisted in development of law and policies at various levels in their counties.
It is evident from Figure 7 above that at least for all categories of roles listed, women and other vulnerable HRDs were involved in some form or to a greater extent in the promotion and protection of human rights. This is explained by the response on knowledge about legal frameworks that protect them and their response of knowing that they too have rights that should be protected and thus being able to champion for others peoples’ rights (See figures 3 and 4)

3.3.2 Mode of interaction with duty-bearers

This study further examined the common mode of interaction with the duty-bearers. The results are summarized in Figure 8 below.

**Figure 8: WHRDs modalities of interaction with duty bearers**

From Figure 8 above, it is evident that 53% of the WHRDs interviewed used informal discussion as the mode of interaction with the duty bearers, 29% use direct lobbying while 10% use written submissions and 8% use legal action. The huge number using informal interaction reflects the difficulties that HRDs have in getting appropriate channels to hold duty bearers accountable. The few who apply legal action as a mode of interaction shows that HRDs have a deficiency in effective paralegal skills that would bring about better accountability for duty bearers.
3.4 Human rights violations against WHRDs

3.4.1 Perceptions about WHRDs common forms of committed crimes.

Figure 9: Unjust accusation against WHRDs

The most common crime WHRDs have been unjustly accused of committing in their line of duty was incitement to violence and disobedience to law (37%), creating disturbance (35%), unlawful assembly (15%) and common nuisance (13%). The offence with the largest percentage is occasioned by methods such protests and picketing that the Women and other vulnerable HRDs employ in order to seek audience with the duty bearers. All these offences and accusations are often not justified by the duty bearers but are choreographed in order to intimidate the HRDs.
3.4.2 Prevalence of SGBV among WHRDs

Figure 10: Prevalence of SGBV among WHRDs.

 Respondents were asked to rate the prevalence of sexual and gender based violence amongst women and other vulnerable HRDs. Half of the respondents representing 50% cited SGBV prevalence as moderate while 31% of those interviewed reported that occurrence of SGBV amongst WHRDs was high. A slightly lower number representing 19% indicated that incidences of SGBV was low. Most of the respondents who cited moderate and high prevalence were those who were married while the low prevalence responses mostly came from those whose marital status was single. This therefore shows the interlink between marital status and prevalence of SGBV and the effect that both have in the work of WHRDs.
3.4.3 Perceptions about common forms of human rights abuses

Figure 11: Human rights abuses against WHRDs.

Amongst the violations that WHRDs faced; domestic violence took the largest portion of total responses, representing 29%. This is explained by the cumulative 81% of moderate and high prevalence of SGBV as shown in Figure 10. Physical assault was the second type of common human rights violation that WHRDs faced in their work, taking up 24% of all responses. Arbitrary arrest and unlawful detention at 19% is evidenced by common crimes that women and other vulnerable HRDs are unjustifiably accused of (See Figure 9) in a bid to silence them. Death threats and sexual assaults represented 16% and 12% of all responses.

From the Figure 11, it is evident that HRDs are not immune to violations that they strive to fight against. They are thus more vulnerable as vanguards of human rights.
3.4.4 Perpetrators of human rights violations

The study sought to establish those who perpetrate human rights violation among women and other vulnerable HRDs. As indicated in Figure 12 below, police topped the list followed by chiefs. Those who were unlikely to be perpetrators of human rights violations were Faith Based Organizations and Corporate Organizations.

**Figure 12: Perpetrators of human rights violation against WHRDs**

<table>
<thead>
<tr>
<th>Perpetrator</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>32%</td>
</tr>
<tr>
<td>Local Government Officials E.G. Chief</td>
<td>24%</td>
</tr>
<tr>
<td>NGOs</td>
<td>2%</td>
</tr>
<tr>
<td>Religious Organizations</td>
<td>1%</td>
</tr>
<tr>
<td>Media</td>
<td>3%</td>
</tr>
<tr>
<td>Community Members</td>
<td>24%</td>
</tr>
<tr>
<td>Corporate Organizations</td>
<td>1%</td>
</tr>
<tr>
<td>Politicians</td>
<td>13%</td>
</tr>
</tbody>
</table>

In most cases, the state authorities are responsible for violations committed against HRDs whereas they have the obligation, under the Declaration on HRDs, to ensure their protection. The percentages in Table 9 express perceptions of interviewees on the distribution of perpetrators of human rights violation against WHRDs. The cumulative percentage of police and local chiefs as perpetrators of human rights violations is 56%. They were responsible for the arbitrary arrest of HRDs as shown in Figure 11. Community members and politicians also were cited as notable common perpetrators at 24% and 13% respectively. This is a clear indication that both the community and political leadership have not yet fully appreciated the work of HRDs.
3.4.5 Contribution of government in protecting WHRDs

Table 5: Contribution of Government in protecting WHRDs

<table>
<thead>
<tr>
<th></th>
<th>Nakuru</th>
<th>Baringo</th>
<th>Nairobi</th>
<th>Turkana</th>
<th>Bungoma</th>
<th>Elgeyo Marakwet</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>73</td>
<td>52</td>
<td>42</td>
<td>23</td>
<td>51</td>
<td>58</td>
<td>298</td>
<td>71</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
<td>6</td>
<td>8</td>
<td>2</td>
<td>12</td>
<td>9</td>
<td>42</td>
<td>10</td>
</tr>
<tr>
<td>Somehow</td>
<td>8</td>
<td>16</td>
<td>22</td>
<td>7</td>
<td>14</td>
<td>13</td>
<td>80</td>
<td>19</td>
</tr>
<tr>
<td>Total</td>
<td>86</td>
<td>74</td>
<td>72</td>
<td>32</td>
<td>77</td>
<td>80</td>
<td>421</td>
<td>100</td>
</tr>
</tbody>
</table>

Majority of the respondents (71%) interviewed in the selected counties perceived the government as having the sole responsibility to protect women and other vulnerable Human Rights Defenders (HRDs). A further 19% agreed that it is the government’s responsibility to somehow protect HRDs while 10% had the perception that the government should not contribute to the protection of HRDs, a clear indication that there exists a mistrust and that HRDs are unsure if government is able to protect them because they often criticize government policies and actions.
3.5 Factors contributing to human rights violations

This survey established that a number of factors were contributing to human rights violations against WHRDs. As shown in Figure 13, patriarchy, poverty and inequalities were the main factors reported by 52% of the respondents. The least factor was religious believes that was reported by 13% of the respondents.

Figure 13: Drivers for human rights violation against WHRDs

The results shown in figure 13 are in concurrence with the Report on the Study of the Situation of WHRDs in Africa, which indicated that the global phenomena of patriarchy, heteronormativity, militarization, religious and other forms of extremism and globalization have adverse effects on women’s rights and constitute obstacles to the promotion and protection of WHRDs.

WHRDs from poor backgrounds coupled with societal family setup and discriminative laws and policies face high chances of their rights being violated as indicated by the responses in the Figure 13. Religious beliefs that accounted for 13% of all the factors, emanated from the religious doctrine that women should be submissive and not seen as nagging. This affects the work of WHRDs who have to confront human rights violations that that the community term as non-issue for them, for instance domestic violence and sexual assault.
3.6 Existence of protective measures for ensuring safety and dignity of women HRDs

This study sought to establish respondents’ awareness of the existing measures put in place to ensure the safety and dignity of WHRDs in the counties of the study.

Figure 14: Presence of protective measures for ensuring safety and dignity for women HRDS

The respondents were asked to indicate whether there were aware of any specific measures that have been put in place to ensure the safety and dignity of women and other vulnerable HRDs. Results revealed that majority of the respondents (63%) were aware about the safety and dignity measures put in place to protect human rights defender. Only 37% of the respondents indicated that they were not aware of any measures that have been put in place to ensure the safety and dignity of women and other vulnerable HRDs.
3.6.1 Agents responsible for developing protective measures

This study further examined the respondents perception on who had the responsibility of developing the protective measures for ensuring the Safety and Dignity for WHRDs. The results are presented in figure 15 below.

**Figure 15: Distribution of responsibility for development of protective measures**

![Bar chart showing responsibility](chart)

The respondents were also asked about who was responsible for putting up protective measures to ensure the safety and dignity of WHRDs. Results in figure 15 show that 53% of the respondents believe that the National and County governments were solely responsible for the safety of HRDs.

Even though most of the respondents agreed that there were measures put in place for the safety and dignity of HRDs (Figure 14), a combined 47% of respondents in Figure 15 above did not believe that HRDs would be secure with the government’s safety interventions as they favoured international and local NGOs together and also local CBOs, FBOs and CSOs for their protection. This puts emphasis on the need to build the capacity of both duty bearers and rights holders on the roles of HRDs and how to protect them.
3.7 Best practices for protecting WHRDs

Findings shown in Figure 16 below from interviews with the sample respondents indicated that the most common practices that is easily implementable towards the protection of WHRDs were: human rights education programs, formation of HRDs networks and personal development through capacity building and enhancement.

Figure 16: Best practices to be implemented towards protection of WHRDs

The respondents were asked to indicate good practices that need implementation towards protection of WHRDs. Results revealed that majority of the respondents (43%) indicated that human rights education programmes if fully implemented would greatly contribute to the protection of HRDs as those with limited or no knowledge on human rights would have an opportunity to know and be able to claim their rights.

Network formation amongst women and other vulnerable HRDs was also cited as vital in that it gives HRDs confidence to confront violations on one common and strong front. The network also gives them a stronger bargaining power and a sense of belonging. This represented 22% of responses on good practices to be implemented.

Building and enhancement of their present capacities and HRDs exchange visits resulted to cumulative 28% of all responses. This would give them an upper hand and provide an opportunity for learning from each other. The use of media and human rights awards would activate the morale of HRDs and motivate them in their human rights defence work and also provide an avenue to raise awareness on the work of HRDs and to assure them of protection.
Summary of Findings, Conclusions and Recommendations

4.1 Introduction

This study sought to explore the role of women and other vulnerable HRDs in promoting human rights in Kenya; identify the risk factors and human rights violation committed against WHRDs and other vulnerable HRDs; examine the proactive measures put in place to protect WHRDs and other vulnerable HRDs and to explore the best practices towards protection of HRDs in Kenya.

4.2 Summary of major findings

Findings of this study indicated that there was insufficient state protection on the activities of women and other vulnerable HRDs having 52% representation, with 25% citing that the state protection level is adequate while 16% reported their full satisfaction with the current level of states protection.

The study found that the majority (64%) of the sampled WHRDs have knowledge on the legal documents that protect the work of HRDs. This enabled them to have better opportunities to engage with duty bearers and perform their duties.
according to the legal provisions that guide their work. According to findings of the study, majority (47%) of the respondents agreed that the sampled counties had requisite institutional dialogue mechanisms to engage on human rights issues. The study further revealed improvement in the working environment for WHRDs having 34% representation.

The study also established that there were numerous roles that WHRDs addresses in the counties. The key among the role were; 19% worked mostly as human rights awareness campaigners, 16% advocating for women’s rights. 15% fight against harmful traditional practices and 5% assisted in development of law and policies at various levels in their counties.

It also emerged from the study that most common crime that WHRDs have been unjustly accused of committing in their line of duty was incitement to violence and disobedience to law (37%). This offence is occasioned by methods such protests and picketing that the Women and other vulnerable HRDs employ in order to seek audience with the duty bearers. The study further established that the police and local chiefs as perpetrators of human rights violations at 56%. Community members and politicians were also cited as notable perpetrators at 24% and 13% respectively.

According to findings of the study, the common human rights violations that WHRDs faced included; domestic violence was represented by 29%. This was evident by the cumulative 81% of moderate and high prevalence of SGBV. Physical assault 24%. Arbitrary arrest (19%). Death threats and sexual assault represented 16% and 12% of all responses.

Findings of this study indicated that 53% of the respondents believe that the National and County governments was solely responsible for the safety of HRDs. Even though most of the respondents agreed that there were measures put in place for the safety and dignity of HRDs a combined 47% did not believe that HRDs would be secure with the government’s safety interventions as they favoured international and local NGOs together with local CBOs, FBOs and CSOs for their protection.
4.3 Conclusion and recommendations

Based on the findings of this study, KNCHR makes the following recommendations that are intended to address the plight of women and other vulnerable HRDs. It is notable that women and other vulnerable HRDs are a section of HRDs that is marginalized, forgotten and disregarded because of who they are and what they do in the defence of human rights. It is a course that make them clash with the community and other duty bearers because of the notion that WHRDs threaten the societal set norms and values;

For greater recognition and respect of various roles that women and other vulnerable HRDs play in promoting human rights in Kenya, the following need to be taken up:

i. Community members, public officials and the media should not make statements that are deemed to be demeaning to the women and other vulnerable HRDs. They also should refrain from defaming, attacking their personality and character and incitement to violence against WHRDs. Statements that seem to promote sexism in human rights defending should be highly discouraged. This would ensure that everyone in the society including the duty bearers appreciate the role that WHRDs play and thus be supportive in their quest of bringing to the fore the various human rights violations.

ii. Counties should grant specific legal and political recognition to the vital role that WHRDs play and also recognize their vulnerabilities for the purposes of mitigating the risk factors that they face in their line of duty. This recognition would in turn ensure that social justice is achieved and the rule of law and democracy is enhanced at the local levels that women and other vulnerable HRDs operate.

On risk factors and human rights violation committed against women and other vulnerable HRDs, recommendations that should be implemented include:

i. Specific protection mechanisms and policies that address structural causes of human rights violations and violence against WHRDs, including adoption of measures to investigate and punish the perpetrators of violence and violations against them should be put in place by the State. This would ensure that an environment free from violence is created in accordance with local and international legal standards for human rights, to ensure that impediments set on the work of WHRDs are subsequently reduced.

ii. National and County governments should not hinder but complement
the protection and safety mechanisms that are provided by national and international NGOs. This include the support they get from local FBOs, CBOs and CSOs in terms of facilitating regular meetings to review their plans and address the challenges they face. Women and other vulnerable HRDs’ work would be risk-free if all stakeholders take up the protective measures jointly and in liaison, which in turn would result to the WHRDs’ work having more impact in the societies they serve.

iii. In coming up with gender-specific laws and policies for the protection of women and other vulnerable HRDs, national and county governments should ensure that defenders themselves are involved in the design and implementation of these measures.

iv. In terms of access to justice, there is need to guarantee a prompt and impartial investigation of violations committed against WHRDs and the prosecution of those responsible. Investigations should use a women’s rights framework and take into account the context in which WHRDs work and the patterns of attacks that often target them.

v. There is need to train officials in the legal institutions who work on WHRDs cases; of the risks that WHRDs face in their line of duty, their needs, various context under which they work and the impediments they face in the quest for their own justice and of those whose rights have been violated.

On best practices to be implemented towards protection of women and other vulnerable HRDs in Kenya;

i. Media advocacy is required to increase the visibility of WHRDs, their struggles and the risks factors facing them through documenting the gender-specific attacks that they face in the human rights defence and the perpetrators of such attacks. This would enhance the recognition of the WHRDs’ work in the society and reduce incidences violations against them.

ii. Collaboration and coordination amongst women and other vulnerable HRDs is immensely important in that it strengthen their collective action for protection and advocacy. WHRDs also need to work with men so that the issues that they champion are not packaged as ‘women issues’ alone.

iii. WHRDs need to not only localize their networks, but also strengthen their links with the national level organizations as this will enable them to pool their resources together and collectively have a voice against human rights violations.
Appendices

Interview Guide For Key Informants/Fgd

1. Please describe the role/activities of WHRDs in relation to human rights in your county.

2. What are the risk factors faced by WHRDs and other vulnerable HRDs in Kenya?

3. What are the human rights violations experienced by WHRDs and other vulnerable HRDs in Kenya?

4. Who are the perpetrators of human rights violations against WHRDs?

5. How do you organize yourselves as WHRDs? Do you work alone or as a coalition/network?

6. What is your funding level as women and other vulnerable HRDs?

7. In your opinion, what are the good practices that can be implemented to support women and other vulnerable HRDs to conduct their human rights related work safely.
Survey
Questionnaires for WHRDs

Please answer the questions below by ticking in the boxes of your choice.

Background Information

What's your Age?

- 18-25 years
- 26-35 years
- 36-45 years
- Above 46 years

Gender

- Male
- Female
- Others

Your education is level:

- Primary
- Secondary
- College
- University

Marital Status

- Married
- Divorced/ separated
- Single
- Widowed

How would you assess the level of state protection on the activities and work of WHRDs in your county?

- Fully satisfactory
- Fully satisfactory
- Adequate
- Insufficient
- Absent

Do you know any legal documents that protect WHRDs and the work they do?

- Yes
- No
Do you think that WHRDs have rights that should be protected?

Yes  No

Does your county have institutional opportunities intended for dialogue between HRDs and the government officials?

Yes  No  Don't know

Below are statements that relate to your perception on the human rights issue. For each statement indicate your level of agreement/disagreement by checking the box.

Key SD = Strongly Disagree, D = Disagree, UD = Undecided, A = Agree and SA = Strongly Agree

<table>
<thead>
<tr>
<th>Statements</th>
<th>SD</th>
<th>D</th>
<th>UD</th>
<th>A</th>
<th>SA</th>
</tr>
</thead>
<tbody>
<tr>
<td>The government officials have the necessary knowledge, skills, and attitude to carry out their work in a gender-sensitive or gender-aware manner?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community members of my county value and see our work as beneficial to their lives.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The working environment in my county has improved for WHRDs over the past two years.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

To what extent does your county use participatory methods to incorporate the views and preferences of both male HRDs and female HRDs in discussing human rights issues affecting the county?

[ ] not at all

[ ] to a limited extent

[ ] to a moderate extent

[ ] to a greater extent

[ ] do not know
Role of WHRDs

In your opinion, which one of the following roles have you had the MOST impact on?

- [ ] Assisted in the development of laws and institutions policies
- [ ] Promoting the rights of marginalized and disadvantaged groups
- [ ] Fighting against harmful traditional practices
- [ ] Advocacy campaigns towards women rights
- [ ] Human rights fact finding mission
- [ ] Defence of affected groups and individuals
- [ ] Direct assistance to victims
- [ ] Human rights awareness campaigns

Which of the following modes of interaction with state ministry/department/agency have you used to carry out your work?

- [ ] Informal discussions or consultations
- [ ] Direct lobbying
- [ ] Written submissions
- [ ] Legal action

Others (specify):

- ..........................................................................................................................
- ..........................................................................................................................
- ..........................................................................................................................
- ..........................................................................................................................
- ..........................................................................................................................
Human Rights Violations and Nature of Risk Faced By WHRDs

Are you aware of any situations in which agents of the State have levelled groundless accusations of criminal activity against WHRDs in order to discourage, obstruct, and/or limit their work?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

What crimes have WHRDs allegedly been unjustly accused of committing during their work.

- [ ] Creating a disturbance
- [ ] Incitement to violence and disobedience to law
- [ ] Common nuisance
- [ ] Unlawful assembly

Others (specify): ............................................................................................................................

How would you rate the prevalence of gender based violence among WHRDs?

<table>
<thead>
<tr>
<th>Low</th>
<th>Moderate</th>
<th>High</th>
</tr>
</thead>
</table>

Have you been a victim of gender-based violence?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>
If yes, how many times have you been abused over the last one year?

<table>
<thead>
<tr>
<th></th>
<th>0 –2 times</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>3 –5 times</td>
</tr>
<tr>
<td></td>
<td>More than 6 times</td>
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</tbody>
</table>

Which among the following human rights abuses have you suffered as a result of your work as a WHRD?

- [ ] Sexual assaults (sexual harassment, rape, e.tc)
- [ ] Physical assault
- [ ] Arbitrary arrest and unlawful Detention
- [ ] Death threats
- [ ] Domestic violence

Who are the common perpetrators of human rights violation among the WHRDs?

- [ ] Police
- [ ] Government official (e.g. chief,)
- [ ] NGO’s and Associations
- [ ] Religious Organisations
- [ ] Media
- [ ] Community members
- [ ] Corporate organisation
- [ ] Politician

Others (specify): ........................................................................................................

Do you think that, government can contribute much more in protecting WHRDs from violence?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Some how</th>
</tr>
</thead>
</table>

A Report on Gender Audit of the Situation of Women & Other Vulnerable Human Rights Defenders in Kenya
Factors contributing to human rights violation against WHRDs

What are the major contextual factors that contribute to violations of the rights of WHRDs on a scale from 1 (Low), 2 (Moderate) to 3 (High)

<table>
<thead>
<tr>
<th>Factors:</th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Patriarchy, the rule of the father</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Religious beliefs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Poverty and inequality</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Discriminative laws and policies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Family and other social setup</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Others</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Proactive Measures Put In Place to Protect WHRDs

Are you aware of any specific measures put in place to ensure the safety and dignity of HRDs?

Yes, work is in progress | No

Who is responsible for or who put in place these measures?

- [ ] National and County Governments
- [ ] International and local NGOs
- [ ] Local organizations (CBOs, CSOs, FBOs)
- [ ] Community members
- [ ] Others (specify)
# Best Practice Of Protecting WHRDs

What are the components of good practices towards protection of WHRDs that you have implemented in your county?

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td></td>
<td>Capacity building and enhancement</td>
</tr>
<tr>
<td></td>
<td>Formation of networks</td>
</tr>
<tr>
<td></td>
<td>Human rights education programmes</td>
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<td></td>
<td>WHRDs exchange visit by human rights institution</td>
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<tr>
<td></td>
<td>Human rights awards</td>
</tr>
<tr>
<td></td>
<td>Media advocacy and campaigns</td>
</tr>
</tbody>
</table>
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