

**Overcoming Gender-Based Violence in Kenya: In Collaboration With The Nairobi Global
Center**

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Introduction

In January of 2024, Kenya saw a rise in protests and media coverage following the brutal deaths of Rita Waeni and Starlet Wahu. Since the Covid-19 pandemic, gender-based violence has increased, along with surrounding media attention.¹ 75% of these targeted women, often between the ages of 18-40, knew the perpetrator beforehand.² The Foreign Policy Center of the Columbia Policy Institute, in partnership with the Columbia Nairobi Global Center, is researching gender-based violence in Kenya following these events. This report aims to use information gathered through communication with Professor Tomasz Milef (Kenyatta University), Irūngũ Houghton (Director of Amnesty International Kenya), and Ambassador Zaha Indimul Diana Lucy (ambassador/femicide activist), to create a comprehensive summary of the current situation in Kenya and offer possible recommendations to key players.

History of Gender-Based Violence in Schools in Kenya

Gender-based violence in Kenya is embedded in the country's school system. The 2019 Kenya Violence Against Children Survey (VACS) found that 49 percent of girls and 48 percent of boys aged 13-17 years had experienced physical violence.³ In addition to this, 11 percent of girls and 4 percent of boys reported that they had experienced sexual violence. After learning that it is “acceptable” for these violent actions to take place, students often keep this mindset throughout the rest of their schooling.

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<https://carnegieendowment.org/2024/02/12/kenyan-women-are-pushing-for-action-on-femicide.-they-have-road-map-pub-91607#:~:text=On%20January%2027%2C%20thousands%20of%20based%20violence%20in%20the%20country.>

2 <https://www.africadatahub.org/femicide-kenya>

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<https://www.brookings.edu/wp-content/uploads/2020/12/Gender-based-violence-in-primary-schools-Kenya-FINAL.pdf>

Professor Tomasz Milef of Kenyatta University believes that many university-aged women are affected by this phenomenon. He describes power imbalances in the education system:

“It’s also an issue of power. [They] have a power about the way you dress. Dress codes are a big thing here. They have some very unreasonable rules of behavior: where you should get up, how you should dress, where you should go, what time in which language you should speak, and what time and whether you should run from one classroom to another or walk,” Milef told Columbia Foreign Policy Center. “It’s all being enforced by violence, and of course having power over somebody’s sexuality is the greatest power.”

To combat these institutionalized issues, Professor Milej detailed how schools in Kenya are transitioning to a learner-centered approach. He notes, however, that the old structure is still strong.

January Protests

The rise in media coverage began on January 27, 2024, when thousands of protesters marched in cities and towns across Kenya against femicide.⁴ The protests followed fourteen cases of femicide that month alone.⁵ The most recent murders prior to the protests were those of Starlet Wahu, a twenty-six year-old who was murdered in a rental apartment, and Rita Waeni, a first-year university student who was dismembered and similarly found in a short-term rental.⁶

Protestors carried signs that reference the anti-femicide movement online, such as: “Stop Killing

⁴<https://www.npr.org/sections/goatsandsoda/2024/02/16/1231973412/murders-of-women-lead-to-a-call-for-a-law-on-femicide>, an estimated 20,000 protesters participated.

⁵<https://www.civicus.org/index.php/media-resources/news/interviews/6915-kenya-protests-against-femicides-encourage-aged-survivors-to-seek-justice>

⁶ <https://www.theeastafrican.co.ke/tea/news/east-africa/women-across-kenya-hold-march-against-femicide-4505148>

Women #EndFemicideKE,”⁷ “#TotalShutDownKE STOP KILLING US,”⁸ and “#MyDearBody We Shall Not Be Silenced.”⁹ Zaha, an organizer affiliated with Amnesty International Kenya, credits the range of protesters— across age, gender, and location, whether urban or rural— to the coalitions formed through social media.

While organizers and social media pages, such as [Counting Dead Women- Kenya](#) have been advocating for many years prior to the January protests, Zaha argues that awareness surrounding femicide— what it is and is not— has been compounding over many years. The tone of femicide discussions has shifted recently as people recognize that women are attacked regardless of circumstances like their location or attire—moving away from earlier focuses on women's behavior and appearance. Moreover, the dismemberment of Waeni sparked outrage: Zaha said that many organizers felt they could no longer keep counting mounting femicide cases— especially those rising in brutality— and that it was time to mobilize Kenyans, especially when women compose more than fifty percent of the population.¹⁰ Still, these rises in protests were not solely limited to January. The following month, seven different “Dark Valentine’s” vigils¹¹ were held on the 14th which alluded to how over 75% of female homicide cases are perpetuated by family members or intimate partners.¹²

Non-Governmental Organizations

⁷ <https://www.bbc.com/news/world-africa-68116854>

⁸ <https://www.theguardian.com/society/2024/jan/27/thousands-march-against-femicide-in-kenya-after-rise-in-killings>

⁹ <https://www.ksat.com/news/world/2024/01/27/thousands-march-against-femicide-in-kenya-following-the-january-s-layings-of-at-least-14-women/>

¹⁰ As of 2022, Kenyan women compose 50.4% of the population.

<https://data.worldbank.org/indicator/SP.POP.TOTL.FE.ZS?locations=KE>

¹¹ <https://www.aljazeera.com/features/2024/2/14/in-kenya-women-hold-dark-valentine-vigils-to-press-for-end-to-femicidesn>

¹² <https://carnegieendowment.org/2024/02/12/kenyan-women-are-pushing-for-action-on-femicide.-they-have-road-map-pub-91607>

In Kenya, many existing organizations play a vital role in addressing gender-based violence (GBV) and support its survivors. Many centers in Nairobi provide medical care and psychosocial support, including but not limited to: the Gender Violence and Recovery Centre (GVRC) at the Nairobi Women's Hospital,¹³ the Lavender House Clinic operated by Medecins Sans Frontieres,¹⁴ and Rescue Dada Centre.¹⁵ Moreover, the GVRC launched two nation-wide GBV awareness and prevention campaigns: “72-hour” campaign” that educates the public on the importance of seeking medical attention after experiencing GBV and the “1 Million Fathers Movement” that seeks to build “positive male culture in Kenya” and inspire a “cultural rejection of GBV.”¹⁶ In addition to some of the medical, legal, and financial support that some of these comprehensive offers, some programs also help provide emergency rescue services. Usikimye, which means “do not be silent” in Swahili, rescues thousands of women, girls, and children annually in addition to other services such as a GBV Response Helpline and safehouses.¹⁷ Healthcare Assistance Kenya, an NGO, offers a fast-response helpline for sexual and/or GBV that offers psycho-social support.¹⁸ During the January protests, social media outreach from organizations such as these were instrumental in connecting with and mobilizing their network. Still, many of these organizations supplement a lack of governmental support for preventing and responding to GBV. While the Kenyan government has partnered with some non-state actors to provide GBV helplines, many organizations and protesters ask the government “to declare femicide a national

¹³ <https://gvrc.or.ke/>

¹⁴ <https://www.solwodi.de/seite/495840/solgidi.html>

¹⁵ <https://www.rescuedada.org/>

¹⁶ <https://gvrc.or.ke/about-us/what-we-do/>

¹⁷ <https://usikimye.org/>

¹⁸ <https://hakgbv1195.org/about.php>

crisis,¹⁹ to set up a commission to investigate violence against women, to take decisive action against perpetrators and to guarantee speedy and effective trials of [GBV] cases.”²⁰

The COVID-19 Pandemic

The COVID-19 Pandemic marked an important turning point for gender-based violence in Kenya. With the country being shut down and many workplaces being closed, this caused an increase in the amount of men and women who were staying at home. Women with jobs often were not able to carry on due to the pandemic, losing the independence that they may have had. Without the financial independence to leave the home and go to a safehouse, many women were forced to rely on abusive partners. Their increased presence in the home and inability to escape led to an increase in the number of cases of gender-based violence²¹.

The pandemic also exacerbated systemic issues including access to healthcare and access to justice. Resources were limited and the healthcare system was overwhelmed by those with COVID. Seeking care for their injuries was difficult. As for the justice system, the police are often perpetrators of gender-based violence and therefore do not carry out justice for survivors who go to them. In addition, with curfews in place due to the pandemic, access to shelters were limited forcing women to stay in volatile situations. Shelters that were open tended to have less resources than usual and were operating with less capacity. The pandemic ended up exacerbating gender-based violence. The government did not accurately plan for this and ended up coming short throughout the pandemic despite this being a priority of theirs. There was a lack of program

¹⁹ <https://gender.go.ke/gender-based-violence-family-protection/>

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<https://www.npr.org/sections/goatsandsoda/2024/02/16/1231973412/murders-of-women-lead-to-a-call-for-a-law-on-femicide>

²¹ [Gender-based violence during COVID-19 among adolescent girls and young women in Nairobi, Kenya: a mixed-methods prospective study over 18 months | BMJ Global Health](#)

implementation and a significant lack of resources in order to help women escape domestic violence situations. Human Rights Watch offers a study of 22 cases and an analysis of policy solutions for a variety of actors in order to help prevent further cases of gender-based violence²².

Media Coverage

December 2023 through January 2024 marked a turning point in media coverage. What had previously been more sporadic became an explosion across Kenya and throughout the world. The gruesome murders of Scarlet Wahu and another woman, Rita Waeni, who had been dismembered caught the attention of the national media and led to a massive uptick in coverage. Ambassador Zaha Indimul Diana Lucy, a Kenyan feminist activist, explained during an interview in early April 2024 how media coverage helped organizers organize the January 27th protests. She cited the radio as being one of the major modes of communication. The radio uses local dialects allowing people from surrounding communities to understand the message and join the protests. Zaha explained how often other media methods, in particular national newspapers, are written in a language that people from rural communities, especially women, are unable to understand. For this reason, she attributed the spread of both the femicides and the protests to the radio stations who were able to get the word out quickly and to people with little access.

As for world media, the femicide incidents marked an incredible turning point in the coverage that exists. Media coverage exploded in the month of January following the widespread movement that was building in Kenya. Many media outlets began reporting on the protests that were gearing up and what had been occurring in Kenya since the pandemic. Interestingly, the majority of the articles focused on the women that were protesting. There was little attention on

²² [“I Had Nowhere to Go”: Violence Against Women and Girls During the Covid-19 Pandemic in Kenya | HRW](#)

the lack of men at the protests despite many activists explaining that this was a result of the stigma that existed in the country. Many called on men to join the protests to demonstrate their solidarity with the women of Kenya. While global media coverage brought attention to the issue, it did not promote any solutions or actions that could be taken to support the movement.

Legal Practices

Gender-based violence victims in Kenya often face many difficulties in pursuing justice. While the law does indeed agree that gender-based violence is a crime, the process that it takes in order to pursue justice can take years and is often very discouraging. One of the biggest challenges comes in the form of the P-3 legal form for physical assault which requires women to go find a Ministry of Health doctor to certify and costs 1500 Kenyan Shillings²³ or about \$11.5. The fee attached to this form adds a financial barrier for women seeking to report the crime that has been committed against them. Having to go find a doctor to certify the form is yet another barrier that takes time and may discourage women from reporting their assault. Non-profit organizations have been working to reduce the burden of this form, but it is difficult to reach every survivor of gender-based violence, leaving many victims without justice. Added on to the existing barriers is the stigma that exists in communities against reporting instances of gender-based violence. There is a culture of victim-blaming, with many communities being highly patriarchal. These communities strongly discourage women from speaking out, threatening social isolation. If they are able to make it to court, they still face bias that has seeped into the judicial system, which can lead to their case being dismissed. The combination of all of these factors illustrates the difficulties survivors of gender-based violence face within the legal system in Kenya.

²³ [Improving Capacity to Address Gender-Based Violence: The intersection of Public Health and the Law. A Public Health and Law Evaluation of a GBV Clinic in Kisumu, Kenya | Columbia Global Centers](#)

For the crime of femicide specifically, justice is also complicated. Within the legal code of Kenya itself, harsh penalties do exist for crimes of gender-based violence that result in death. However, Professor Tomasz Milej explains that penalties only deter perpetrators when they are unavoidable. The issue in Kenya is that often perpetrators are not caught or are able to use bribery in order to stay out of the courts, hence the penalties for the crime they have committed do not impact them. Additionally, femicide is classified under murder within the legal code. Many feminist activists in Kenya are calling for femicide to be legally recognized as a crime that is distinct from murder in part as a way to collect better data²⁴. In addition, this will bring more attention to the issue and help to combat the issue of victim-blaming that occurs often within communities preventing women from coming forward and pursuing justice.

Outside of the Kenyan legal system, there are local human rights courts that have the potential to make a difference. The East African Court has been used for rulings concerning many sorts of issues within the state, although none have involved femicide. Professor Milesj, who has written about the East African Court²⁵ explains that it can be used in order to sue the state and their response to the femicide crisis. In doing so, the state would be pressured to respond by revising their legal code in order to better encompass femicide along with facilitating the legal process for femicide cases so that they do not take so long. This may be a solution used by activists in order to achieve a long lasting change within the Kenyan legal system. However, in an interview with Professor Tomasz Milej, he points out that the law comes too late and instead says that, “Public debate and public education is key”.

²⁴ [Femicide in Kenya: What’s causing an epidemic of violence against women? | News | Al Jazeera](#)

²⁵ [East African Court of Justice – what it is and what its powers are \(theconversation.com\)](#)

The Nairobi Global Center

The Nairobi Columbia Global Center has hosted many research projects related to Gender Based Violence, although they do not have any current ongoing projects. In 2019, the center released a report, funded by the , entitled, “Improving Capacity to Address Gender-Based Violence: The Intersection of Public Health and the Law. A Public Health and Law Evaluation of a GBV Clinic in Kisumu, Kenya.” The study reviewed Kenyan laws, spoke to survivors of GBV, amongst other research inquiries. The researchers released some recommendations to help combat GBV: “ 1) Increasing witness preparation and connection to legal representation for the victims and their families[,] 2) Empowering those within the chain of custody of information and evidence not only to preserve the proof but also ensure an 'airtight case[,]’ 3) Explore civil claims and monetary relief and compensation, 5) Seek to have punitive charges on other forms of violence within the community impact of the hyper-focus on defilement by the criminal justice system, [and] 6) Wavering cost such as the paperwork such as the P-3 form for the physical assault that currently cost a minimum 1500 Kenyan Shillings and requires unnecessary back and forth looking for a Ministry of Health doctor. Similarly, the State could provide legal representation to survivors as it doesn't assess routinely legal services for GBV victims unless through special request.”²⁶ To address GBV, the center could support further similar research in partnership with local affiliate universities and organizations. For example, Professor Milej, stated in a March interview that addressing GBV would require a shift in “social norms,” partly through a “complete overhaul of the school curriculum.” Prof. Milej argues that facilitating a classroom environment that facilitates open communication between students and professors, wherein

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<https://globalcenters.columbia.edu/news/improving-capacity-address-gender-based-violence-intersection-public-health-and-law-public>

students do not feel oppressed by faculty but rather facilitating a “socratic” and “learning-centered approach.” Hopefully, these changes would not feeling of powerlessness and frustration amongst students as well as creating relationships between students and faculty wherein student could discuss “problems... violent boyfriends[,] violent men or even cases of sexual harassment which are extremely widespread.” Hopefully, the Global Center could work with their partner universities to further facilitate this shift in the Kenyan education system or promote further related research.

Moving Forward & Conclusion

During a discussion with Irūngū Houghton, the Executive Director of Amnesty International Kenya, and Ambassador Zaha Indimul Diana Lucy, a Kenyan gender-based violence activist, progressing the dialogue about how to further Zaha’s work became the focus. Zaha shared a [petition](#) titled “Stop Killing Us! Condemnation of Femicide in Kenya by women in Kenya.” Online petitions are a successful step in the fight for awareness. Zaha continued that “posting these conversations in very big convenings that are able to put space for us to make premises and agenda” is also important. She added that “trainings are very, very important because, again, us as organizers, it's one thing to be able to organize from a perspective of an emergency. But, sustainability and impact also requires very professional and technical training”. Zaha also focuses on looking at how to invite the normal citizen to participate in discussions. Since the current movement in Kenya escalated in January, encouraging discourse in other countries has been the basis for growth. However, the time is ticking. Zaha warned, “We can't afford to have very long intervals of jurisdiction when it comes to what we want to do in the crisis. Time is ticking, and as we were just done with the process and with a lot of work around our counties,

we had a nine year old who was actually murdered.” Because of this, working to ensure the prioritization of this escalating issue is crucial.