



Stop Rape in Kenya

The Conflict

While Kenya is not in the midst of an armed conflict in the strict sense, the violence which flared following the 2007 elections was politically motivated. The rape and human rights violations committed are considered conflict-related, violence had the potential to spark a larger crisis, and it warrants closer scrutiny for prevention and protection mechanisms for the region in the future.

Presidential and parliamentary elections were held in December 2007, with concerns voiced by international observers about the process. Ethnic rivalries were strong among the presidential choices, with Mwai Kibaki—the victor—coming from the dominant Kikuyu group, mainly located in central Kenya.

Immediately after the announcement that Kibaki had won, riots and violence, much directed against Kikuyus, broke out. Kikuyus were often targeted in areas where they were a minority. After extreme violence in which over 1000 people died and over 350,000 were displaced, a power sharing deal was reached between the two main rivals.

Kenya is bracing for upcoming presidential and parliamentary elections in March 2013. The international community warns of another violent crisis unless significant action is taken to strengthen the country's institutions and prosecute those who were responsible for the violence in 2007-2008.

The Rape & Gender Violence

Due to high levels of gender inequality and discriminatory perceptions of power, rape and gender violence is a feature of Kenyan society even during peacetime. Yet, gender violence is linked and exacerbated by conflicts and tensions over ethnicity, land, and resources.

During the post-election violence in 2007-2008, gender violence was perpetrated along ethnic lines to humiliate, terrorize, and break the bonds of the rival community. Evidence of widespread rape, gang rape, sexual mutilation, and forced circumcision against women and men has been gathered. There were repeated cases of forced female genital mutilation on women who were part of groups who no longer practiced it, or women from the perpetrators own ethnic group who were in a relationship with men from other communities. The violence signified a forceful return to former "traditions."



In Kenya, survivors often suffer in silence and face significant stigma for their attack. Survivor support in the form of medical and psychosocial, legal aid, and protection is lacking, leaving survivors often re-victimized if they seek justice. Despite comprehensive policies in place within institutions for how to handle sexual violence cases, the lack of political will in dealing effectively with rape cases remains a significant obstacle, especially as the country prepares for possible violence ahead of the elections in 2013.

Relevant Research

“The Waki Report leveled harsh criticism at the Kenyan police for its failure to investigate rape and other sexual offences committed during the violence. Dozens of women had filed rape complaints, but the complaints had not led to a single known prosecution. On October 17, 2008, two days after the Waki Report was published, the police announced it was forming a task force to investigate sexual offences related to the election violence.... A representative of a health centre that treated sexual violence victims complained to the press that the task force simply wrote to the center requesting the names of the victims, which would have constituted a violation of clients’ privacy. Staff wrote back to explain they could not grant that request, but proposed meeting to discuss strategies to get victims to come forward voluntarily. The police never responded.”

Turning Pebbles: Evading Accountability for Post-Election Violence in Kenya, Human Rights Watch, 2011

www.hrw.org/sites/default/files/reports/kenya1211webwcover_0.pdf

“The wide scale violence which followed the December 2007 Presidential elections brought new dimensions to the problem of sexual and gender based violence particularly in the areas affected by the conflicts such as Nairobi, Naivasha, Nakuru, Burnt forest, Eldoret and Kisumu where media reports and survivor accounts pointed to high incidences of sexual violence. The Kenya Police Crime Report data for 2007 indicated that there were 876 cases of rape reported, 1,984 cases of defilement, 181 cases of incest, 198 cases of sodomy, 191 cases of indecent assault and 173 cases of abduction reported in the year.”

Women Paid the Price: Sexual and Gender-based Violence in the 2007 post-election conflict in Kenya, The Centre for Rights Education and Awareness, 2008

<http://www.creawkenya.org/creaw-publications/women-paid-the-price.html>