

Reducing gender-based violence in Kenya

PENAL CODE

SECTION

42

14

YEARS
IMPRISONMENT



Human rights violations targeting people for their sexual orientation, gender identity, expression and sex characteristics (SOGIESC) are on the rise in Kenya¹. These communities face stigma, discrimination, violence, lack of protection by law enforcement and government officials, and limited access to services. In addition, the criminalisation of consensual same-sex relationships between adults increases the risks faced by affected communities.

To address the challenges, in 2020 LVCT Health became a partner in the Zero Violence² project, focusing on raising awareness of gender-based violence among marginalised women and the lesbian, gay, bisexual, and transgender (LGBT) community.



ZERO VIOLENCE

SENSITISING HEALTH WORKERS

A key element of the strategy was awareness training for health workers, recognising that many LGBT people are reluctant to seek help when they need it, because of the stigma and discrimination they face in health care settings.

The training sessions brought together 17 health service providers from five counties to sensitise them on SOGIESC and the needs of the LGBT community, facilitated by Jinsiangu, an organisation working to improve the lives and wellbeing of intersex, transgender and gender non-binary people.

They briefed participants on the national transgender guidelines³, gender-based violence laws and used interactive role play and experiential learning to explore stigma, attitudes and negative perceptions.

When they discussed why marginalised communities avoid seeking HIV and sexual and reproductive health rights services at drop-in centres and clinics, it emerged that questions on the registration forms at clinics and drop-in centres do not respect the identities of trans and gender non-binary people and can be alienating. They also called for more peer educators to encourage marginalised communities to access services. The participants agreed to disaggregate gender and sexual identity on clinic forms and LVCT Health will collaborate with Jinsiangu to strengthen their successful peer model approach.

Michael Gaitho- GBV Senior Technical Officer (LVCT Health) discussing the various approaches for gender transformative programming during the GTA Training for SOGIESC communities.



One participant, regional coordinator for HIV and prevention services in Migori County reflected on what he had learnt:

“

As a program, we could have been contributing to stigma and discrimination knowingly or unknowingly; and this training has been an eye opener to me; it is very informative and it has helped me to use different terminologies and different ways of handling transgender.

”



ZERO VIOLENCE

BUILDING AN SOGIESC MOVEMENT

Acknowledging that the leadership and partnership of LGBT people is key to ongoing activism, LVCT Health conducted a movement building session. This brought together 11 organisations working on SOGIESC issues for the first time. It aimed to strengthen the capacity of participating organisations and inspire them to create a movement that would advocate for their rights, changing the policy and legal environment that adversely affects the community, including violence and access to HIV and sexual and reproductive health and rights services.

The session began with a brief history of SOGIESC in Kenya and milestones achieved at the national policy level through advocacy. The role that LVCT Health played in providing the first spaces for queer activists to convene and organise was part of this history. They shared examples of legal successes, for example a landmark case won by a transgender woman where the High Court ordered the Kenya national examinations council to change her name on her academic certificates⁴; and the inclusion of intersex individuals in the 2019 national census report.

The groups were encouraged to recognise each other's strengths, document their work and collaborate to complement their objectives. Participants shared contacts and hotline numbers to

Participants of the Gender Transformative Approach Training. Among them are members of the SOGIESC communities.



Jackline Kasera, Trans Alliance facilitating a session on introduction to SOGIESC during GTA Training.



create a directory for service referral, especially for tackling gender violence cases. The directory can be found at <https://lvcthealth.org/wp-content/uploads/2021/05/GBV-Referral-pathways.pdf>

A doctor from the National Gay and Lesbians Human Rights Commission summed up how valuable the forum had been:

“ ... What we saw is that we have made a lot of milestones, we are realising [these] in important government documents especially the Ministry of Health. [They] have not come easy; there has been a lot of public participation. We also realized that the trans movement has grown and we've counted around 12 intersex, trans and gender non-binary organisations in Kenya.... There are no gender markers on [exam] certificates. Trans and gender non-binary people can get IDs... they have access to doctors, hormones and safe spaces that they did not have before.... So, I want to thank LVCT Health for giving us this opportunity to actually sit down as marginalised communities and speak on matters that truly affect us in the spaces that we occupy. ”



ZERO VIOLENCE

- 1 Gay and Lesbian Coalition of Kenya (GALCK), National Gay and Lesbian Human Rights Commission (NGLHRC), Coalition of African Lesbians (CAL) and SRI. The UN Universal Periodic Review of Kenya - 21st session (Jan-Feb 2015).
- 2 Zero Violence was a six-month project (October 2020 to March 2021) that built and strengthened sustainable legal capacity to address and reduce violence and discrimination against women and girls and LGBT people across the Commonwealth. It was a joint partnership between Frontline AIDS and ActionAid, and was funded by the UK Government Conflict, Security and Stability Fund (CSSF), under the Foreign, Commonwealth and Development Office.
- 3 The Transgender Guidelines were developed by NASCOP, Kenya <https://www.nascop.or.ke/online-resources/> The document is currently at approval stage.
- 4 Judicial Review 147 of 2013, Judicial ruling. <http://kenyalaw.org/caselaw/cases/view/101979/>

