

TURN WORDS INTO ACTION

VIOLENCE AGAINST WOMEN

Thousands of women and girls are killed or injured each year in deliberate acts of violence. Violence committed by soldiers, police officers or prison guards. Above all, violence committed by people they know – husbands, fathers, employers or neighbours.

Such violence is rooted in discrimination against women, and reinforces that discrimination. Despite worldwide progress in promoting women's rights, in no country are women free from discrimination, in no country are they politically, socially and economically equal to men.

International human rights law imposes obligations on governments to protect everyone from torture or ill-treatment, whether committed by state agents or private individuals. Rape and other deliberate and severe acts of violence against women constitute torture when the state has failed to fulfil its obligation to provide effective protection and remedies. Yet far from protecting women, states all around the world allow violence against women to continue unimpeded and unpunished. By failing to prohibit, investigate and punish acts of violence against women, governments share in the responsibility for such acts, and encourage the perpetrators to continue.

Amnesty International calls on all governments to fulfil their human rights obligations by taking steps to break the cycle of violence against women.

The United Nations Declaration on the Elimination of Violence against Women defines violence against women as *“any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women... whether occurring in public or private life.”* It includes *“violence perpetrated or condoned by the State, wherever it occurs”* and *“violence occurring in the family”* and the *“general community”*.

ACT NOW

Send your letters to:

Amnesty International is campaigning to improve respect for women's human rights in Kenya. Add your voice to ours.

Write to the Kenyan Attorney General. Ask him to press the Kenyan government to:

- ➔ make marital rape a crime in Kenyan law;
- ➔ publicly condemn all acts of violence against women, whoever commits them;
- ➔ investigate all allegations of violence against women and bring those responsible for such crimes to justice.

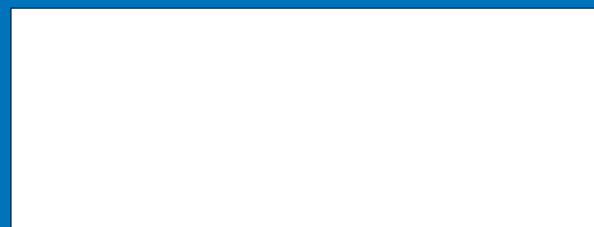
Send your letters to:

Mr Amos Wako,
Office of the Attorney General,
State Law Office,
Harambee Avenue, PO Box 40112,
Nairobi, KENYA

Fax: +254 2 315 105

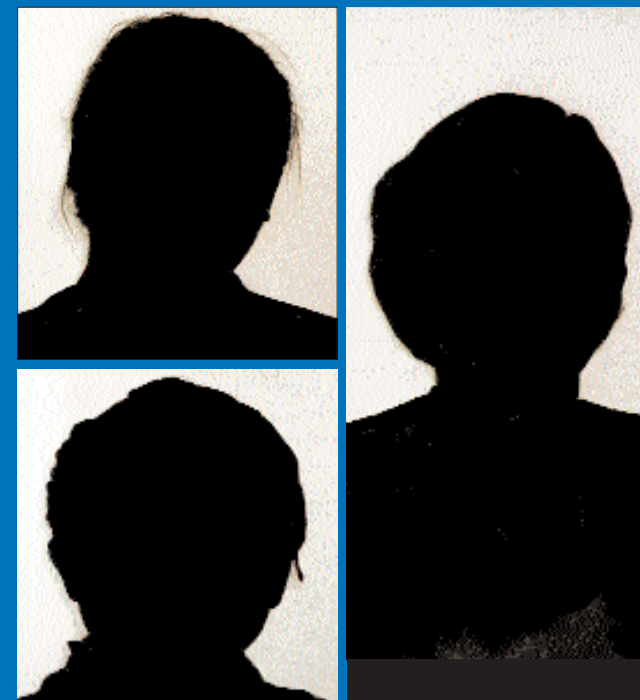
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or write to Amnesty International, International Secretariat,
Peter Benenson House, 1 Easton Street, London WC1X 0DW, UK
www.amnesty.org

AI Index No: AFR 32/002/2002



KENYA

VIOLENCE AGAINST WOMEN

*Women at risk of
domestic abuse*



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Mary, Agnes and Louise

'States should pursue by all appropriate means and without delay a policy of eliminating violence against women'

United Nations Declaration on the Elimination of Violence against Women

*Cover pictures: © AI
The identities of these three Kenyan women interviewed by AI have been concealed in order to protect them.*

Mary, Agnes and Louise have several things in common. They have each been badly beaten by men in their families. They each say they have been raped by those men. They have suffered for years with no prospect of help from the authorities. Not only are the police unwilling to become involved in cases of domestic violence, but marital rape is not even a crime in Kenyan law.

Mary's husband died in 1993 and, in line with Kenyan customs, she was "inherited" by her husband's elder brother. She needed his help to support her six children.

Since 1998, she says, her new "husband" has regularly beaten her and forced her to have sex with him. She has never been to the police, because she is certain that they would not investigate her case or help her gain protection or redress.

Agnes has five children. Her husband works for the government, and in 1999 he took a second wife. Agnes says that when she questioned him about this, the beatings started. A year later he left her, and stopped beating her, but she says that he continues to force her to have sex with him every month.

Like Mary, Agnes has never been to the police. She is sure that since her husband can afford to bribe the police and she cannot, there is no realistic prospect of them helping her.

Louise, who also has five children, has been beaten by her husband for years.

In March 2001 she went to the village Chief for help. He gave her a letter for her husband – but this, she says, provoked even more violence. Her husband threatened to burn and stab her, and gave her two black eyes. The beatings got worse. In

May Louise went to the police for help. They said that they would arrest her husband, but never did, because, she says, he gave them a bribe.

Louise left home, but she says that her husband pursued her, beat her and raped her. She decided not to go to the police, since they had never helped her, but has found safety with a local women's organization.

These stories are typical of many in Kenya. The government is failing in its obligations to protect women from human rights violations.

The government has not established a legal framework to protect women: in particular it has not made marital rape a criminal offence.

The police and the courts are biased against women, especially poor women, and there are virtually no state facilities to protect women fleeing domestic violence.

Kenya fails to protect women from physical and sexual abuse

Violence against women is endemic in Kenya. Every day, women are physically and sexually abused.

Rape is widespread in all social and ethnic groups. It is a crime that shocks and traumatizes the victim, and undermines the status of women in society. Yet it is largely suffered in silence.

Victims of violence often face insurmountable obstacles in trying to bring the perpetrators to justice. Many women who have suffered rape or other forms of abuse are too intimidated by cultural attitudes and state inaction to seek redress. Those who do are confronted by a system that ignores, denies and even condones violence against women, and protects perpetrators, whether they are state officials or private individuals.

Kenya has agreed to be bound by the United Nations Convention on the Elimination of All Forms of Discrimination against Women. The Kenyan government is therefore obliged to ensure that men and women enjoy the right to equal protection under the law, including the right to physical integrity.

In 1999 the Attorney General of Kenya acknowledged that violence against women "is a societal crisis that requires concerted action to stem its scourge". Yet, despite its moral and legal obligations, the government has not reformed Kenya's laws to make all acts of violence against women criminal offences, nor has it addressed the discriminatory practices of the police force, prison services and court system.

The Kenyan government is failing in its human rights obligations towards half of Kenya's citizens. It should reform both its laws and practices to end impunity for violence against women. As a general election draws near, women's rights should be a top priority on the election agenda.

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Send your letters to:

Amnesty International is campaigning to improve respect for women's human rights in Kenya.

Add your voice to ours.

Write to the Kenyan Commissioner of Prisons.

Ask him to initiate a prompt, thorough and impartial investigation into the rape and other torture of Hadaja Choro and to ensure that those responsible are brought to justice.

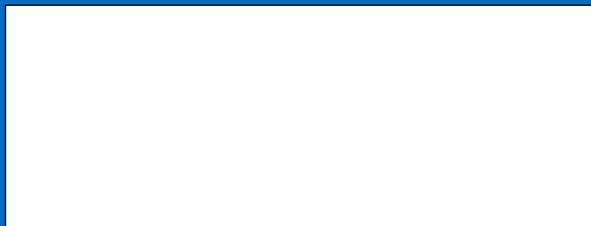
Send your letters to:

Abraham Kamaril
Kenya Prisons Service
Headquarters
PO Box 30175
Nairobi,
KENYA

Fax: +254 2 727 329

For more information contact

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or write to **Amnesty International, International Secretariat, Peter Benenson House, 1 Easton Street, London WC1X 0DW, UK**
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AI Index No: AFR 32/002/2002



KENYA

VIOLENCE AGAINST WOMEN

Hadaja Choro



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Hadaja Choro

‘States should pursue by all appropriate means and without delay a policy of eliminating violence against women’

United Nations Declaration on the Elimination of Violence against Women

Cover picture: © AI Hadaja Choro and her son

On 8 March 2000, Hadaja Choro and two other women prisoners held in GK Prison, Kakamega, were sent to fetch water for the prison. They went with one female prison warden to the gates of the Water Department, where they say that they saw an *askari* (watchman) give the warden money.

The warden told Hadaja Choro and the other prisoners to follow the man and not to ask questions, or she would beat them and leave them to die. Inside the Water Department two other watchmen were waiting. According to Hadaja, each man took a woman and raped her.

Hadaja Choro was serving a two-and-a-half-year sentence for the manslaughter of the daughter of her husband’s second wife, a charge she denies. Her husband and his second wife, who had accused her of the crime,

did not go to court for her trial, and the magistrate told her that she would be kept in prison for her own safety, because she had enemies. She says that in prison she was tortured by female prison wardens, who regularly beat the inmates and denied them hospital treatment for their injuries.

Two months after the rape, Hadaja realized that she was pregnant. It was only then that she reported the incident to a senior officer at the prison. The officer told her not to mention it again as she would get the officer involved sacked.

Hadaja Choro says she was told never to go out of the prison again and was kept isolated from the other prisoners. “During isolation, if I was found with others then I would be beaten,” she says, “but if I stayed alone then I was not beaten”. One of the other two prisoners who had been raped was taken

to the remand wing of the same prison, the other was transferred to another prison.

On 2 December 2000 Hadaja Choro gave birth to a boy. On 12 December she received a presidential pardon and was released from prison. Her husband divorced her because of her child, leaving her without a home or any means of support.

Hadaja Choro reported the rape to Kakamega police station, but she has never been asked to give a statement nor has there been any investigation by the police.

Hadaja’s story is typical of many in Kenya, where violence against women in detention is widespread. The government has failed to protect women from abuses. Prison officers, police and security officials are rarely held to account for their actions and therefore commit acts of torture, including rape, with impunity.

Kenya fails to protect women from physical and sexual abuse

Violence against women is endemic in Kenya. Every day, women are physically and sexually abused.

Rape is widespread in all social and ethnic groups. It is a crime that shocks and traumatizes the victim, and undermines the status of women in society. Yet it is largely suffered in silence.

Victims of violence often face insurmountable obstacles in trying to bring the perpetrators to justice. Many women who have suffered rape or other forms of abuse are too intimidated by cultural attitudes and state inaction to seek redress. Those who do are confronted by a system that ignores, denies and even condones violence against women, and protects perpetrators, whether they are state officials or private individuals.

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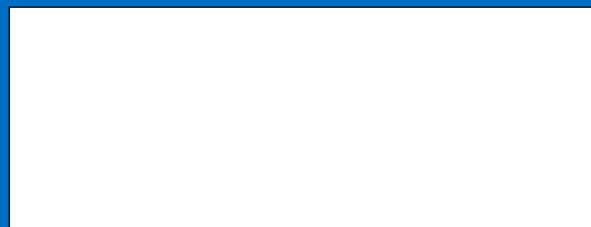
Ask him to initiate a prompt, thorough and impartial investigation into the rape and other torture of Mary Muragwa, and to ensure that those responsible are brought to justice.

Send your letter to:
Office of the Kenya Police
Headquarters Commissioner
Philemon Abong'o
PO Box 30083,
Nairobi,
KENYA

Fax +254 2 330 495

For more information contact

Amnesty International in your country



or write to: Amnesty International, International Secretariat,
Peter Benenson House, 1 Easton Street, London WC1X 0DW, UK
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KENYA

VIOLENCE AGAINST WOMEN

Mary Muragwa



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Mary Muragwa

'States should pursue by all appropriate means and without delay a policy of eliminating violence against women'

United Nations Declaration on the Elimination of Violence against Women

Cover picture: © AI Mary Muragwa

On 27 March 1995, seven special branch police officers arrived at the house of Mary Muragwa in Nampla location, Bungoma district, looking for her husband. Unable to find him, they began to beat Mary, who had given birth to her sixth child just over a month earlier. Mary fell, breaking her arm in three places. She says she was raped in her house by two of the police officers.

The police then arrested Mary Muragwa and took her and her child to a nearby river. She said they threatened her with a pistol and told her that they would kill her and throw her body into the river if her husband was not found.

Mary Muragwa was then taken to Bungoma police station and put in a room with five male and two female police officers, who, she says, beat her for six hours.

The officers told her that they wanted her husband, David Muragwa, a retired teacher of 65, because he was involved in politics. They said that the grenade that had killed three of her children a year earlier had been meant for him. They even offered to pay her to tell them where he was. Mary refused.

For the next two months Mary Muragwa was held in police custody and "interrogated". At each interrogation session, she says she was beaten. She received no medical treatment for the pain and bleeding in her stomach caused by the beating. Despite her pleas she was never taken to a court.

Mary was finally released on 30 July 1995 and told that she was under house arrest. The police monitored her movements for a year to see if she would go to her husband. After the year she was told that she was free.

In 1997 Mary's husband returned from Uganda, where he had fled when he heard that the police wanted to arrest him. Since then he has not been harassed. The following year Mary suffered two miscarriages. She believes that because of the injuries inflicted on her, she can no longer have children.

As far as Mary is aware, the police officers who raped and tortured her are still on duty.

Mary Muragwa is by no means the only woman raped and tortured by police in Kenya. The government has failed in its obligations to protect women from human rights violations.

Police and security officials are rarely held to account for their actions and therefore commit acts of torture, including rape, with impunity. Amnesty International knows of no successful prosecutions for rape against police officers in Kenya.

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