

# KENYA

POPULATION IN 2016

**48.461.567**

SIZE

**580,367 KM<sup>2</sup>**

HDI RANKING 2016

**145/188**

INEQUALITY ADJUSTED HUMAN  
DEVELOPMENT INDEX 2016

**0,555**

GENDER INEQUALITY INDEX 2016

**0,565**

CIVIC SPACE (CIVICUS MONITOR 2017)

**OBSTRUCTED**

**HDI** - Human Development Index and its components, ranks countries by HDI value and details the values of the three HDI components: longevity, education and income.

**IHDI** - Inequality-adjusted Human Development Index - IHDI looks beyond the average achievements of a country in longevity, education and income to show how these achievements are distributed among its residents. An IHDI value can be interpreted as the level of human development when inequality is accounted for.

**GDI** - Gender Development Index, measures disparities on the HDI by gender. The table contains HDI values estimated separately for women and men; the ratio of which is the GDI value. The closer the ratio is to 1, the smaller the gap between women and men.

**Civic space** - The CIVICUS monitor assigns each country a rating on civic space based on constant analysis of multiple streams of data on civic space. The rating is open, narrowed, obstructed, repressed or closed. <https://monitor.civicus.org/Ratings>

## Introduction

Kenya is a multi-ethnic state in the Great Lakes region of East Africa. Its population is growing annually by one million. Almost 75% of the population is under the age of 30. The country has made significant structural and economic reforms that have contributed to sustained economic growth. The political context in the recent past however has been heavily shaped by historical domestic tensions and contestation associated with the abuse of power and high levels of corruption.

Kenyans living in different regions have diverse lifestyles and access to services. In spite of past development policies and funds such as Free Primary Education, Secondary Schools Bursary Fund, Constituency Development Fund, Local Authority Transfer Fund or Rural Electrification Fund, levels of deprivation still remain extremely high in some areas.

Women's political representation in parliament is low at 10%, trailing far behind the global average of 18.8%.

Gender roles tend to vary by ethnic groups and between rural and urban areas. Gender equity is highest in and around Nairobi, the capital city, and lowest in the north-eastern parts of the country. Although Kenya is a secular state, it is strongly influenced by religious institutions that serve a population of about 75% Christians and 14% Muslims. Voice in Kenya is managed by Hivos and is implemented nationally with a focus on the rural areas. There is full recognition that all oppressions are connected and hence intersectionality is at the core. Voice will work with all five target groups on the following learning agendas:

**Political participation of women:** Kenyan civil society groups are actively engaged in the political life of the country and are considered vibrant and active. The needs of minority and indigenous women, including Lesbian, Bisexual and Transgender women, have not however been considered.

**Transgender and intersex persons** have unique health care needs – hormonal therapies, surgery and psychological counselling. Most health practitioners still remain uneducated in part due to the limited body of research on gender diversity and the lack of training within medical schools on issues related to transgender and intersex health.

### Education for people living with disabilities

Only 5% of learners with special needs transit from primary to secondary schools whereas the national average for all learners is 79.6%. This could be attributed to the lack of adequate secondary schools, facilities and teachers to take care of learners with special needs. Education for persons with disabilities is not fully accessible, available, affordable and adaptable to the needs of learners with disabilities.

## State of Affairs

### People living with disabilities

3.5% of the Kenyan population are classified as people living with disabilities. The majority reside in the rural areas, which are characterised by high levels of poverty.

Like elsewhere, they suffer from economic exclusion – limited access to land, finance and credit, employment and labour market integration. This is due to their lack of education opportunities and the difficulties of mobility to urban areas where there are more economic opportunities. Sadly, many people living with disabilities lack the necessary market skills especially for knowledge/skills based formal employment. This is combined with the fact that many employers are

unwilling to hire persons living with disabilities due to the costs of making adjustments in the workplace and also finding suitable accommodation for them.

Despite Article 54, which stipulates that 5% of members in elective and appointive bodies should be persons living with disabilities, government ministries and entities have not adhered to such a requirement.

The following are areas of work for Voice partners in Kenya:

- A** Full realisation of Article 54 of the Constitution for people living with disabilities;
- B** Increased access to secondary and tertiary education;
- C** Mobility in public transport and access to physical facilities through adoption of reasonable accommodation;
- D** Access to specialised health services and subsidised health care;
- E** Access to business premises or space for trading activities in urban areas.

### Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people

Kenya is among the 37 countries in Africa that criminalise homosexual or consensual same sex practices and relationships, especially among men.

Having said that, the country's constitution provides protection for all and while it does not explicitly provide for non-discrimination on grounds of sexual orientation and gender identity, there is scope for this to be rectified through the courts. Two petitions challenging the constitutionality of the present penal codes have already been filed by LGBTI organisations in Kenya.

It is social attitudes and traditions however that guide views and beliefs of citizens. According to Pew Global Attitudes Project (2007), 97% of Kenyans believe that homosexuality is a way of life that society should not accept. Political leaders – both president and deputy president – as well as religious leaders have publicly denounced homosexuality and made it clear that the LGBTI community has no place in Kenya. The majority of sexual and gender minorities face widespread persecution by state and non-state actors, stigma and discrimination at service delivery sites and violence.

Despite this, the country has a thriving LGBTI movement. This is evident by an ever-increasing number of LGBTI organisations spread throughout the country. Currently, more than 32 have registered as organisations, networks or groups, the vast majority catering for the needs of young people.

Due to restrictive and discriminative laws, LGBTI persons are denied their rights and this has led to serious implications on how they are treated – arrested by the police and/or their activities criminalised; denied opportunities for assembly and expression; and non-existing LGBTI-supportive workplace policies. Policies are silent regarding their full involvement in decision-making processes and platforms to influence policies that affect them are lacking.

Intersex and transgender people are not recognised by law and thus there is no legal framework to guide the handling of intersex children (psycho-social support or medical interventions), therapy treatment and/or gender affirming surgery for transgender persons.

Voice will work with partners on influencing the following for Transgender and Intersex people:

- A** Access to education for young people whose families or guardians have refused to take care of them;
- B** Comprehensive legal framework and medical services for gender identity and re-assignment surgery;
- C** Access to comprehensive health services.

## Women facing exploitation, abuse and/or violence

The total female population in Kenya is 19,417,639 (50.3%). With regard to age categorisation, 52.6% (10,219,346) are females between 0 and 19 years, 25.5% (4,955,579) are females between 20 and 24 years, 18% (3,503,243) are between 35 and 64 years, 2.6% (505,287) of females are between 65 and 79 years, and 1.2% are above 80 years. This means that 78.1% of the female population are below 35 years.

Women bear the biggest brunt of exploitation, abuse and violence. The Bill of Rights, as enshrined in the Constitution of Kenya, protects the rights of men and women equally. Article 27 of the Constitution provides for freedom from discrimination based on gender or sex, among others.

The most vulnerable to economic exploitation are women working in:

- Large agricultural and horticulture farms (coffee, tea and flowers);
- The fishing industry along Lake Victoria;
- Extractive industry such as mining and quarrying; and
- Exploitative labour, forced prostitution and human trafficking.

With regards to violence and abuse, Somali, Samburu, Kisii and Maasai communities lead in female genital cutting with over 77.9% of the women/girls affected while forced and early marriages for young girls is especially prevalent in Kilifi (47.4%), Homa Bay (38%) and Kwale (37.9%).

Violence against women is widespread across the country. There are however some contexts that predispose women more to violence, such as areas that have experienced conflicts and clashes, informal settlements/slums and broken or dysfunctional homes.

Based on the findings from the contextual analysis, Voice in Kenya has identified the following strategic areas of interventions that grantees may want to explore:

- A** Reduction of sexual and economic exploitation of women in large agricultural farms and those in the fishing industry;
- B** Young women facing forced prostitution and human trafficking;
- C** Female genital cutting among the most affected communities;
- D** Women facing violence within marital or family set up especially in Nairobi, Western and Nyanza regions;
- E** Women facing sexual violence such as rape in conflict prone areas and urban settlements/slums.

## Age-discriminated vulnerable groups, notably the young and the elderly

The elderly make up 4.9% (1,926,051) of Kenya's population. In many instances, the elderly are left in rural areas to fend for themselves as able-bodied family members move to urban areas in search of better economic prospects. The elderly residing in the urban areas are in crowded slums and informal settlements without due care. Older persons without land face the most extreme exclusion due to their inability to buy/construct homes and their lack of credit worthiness from financial institutions. Only 7.4% of persons above 55 years have access to a pension and many lack health insurance as private institutions exclude older persons from cover.

The key advocacy interventions Voice intends to support will be to ensure the elderly have improved access to health insurance and access to financial services, especially credit, and that cash transfers are expanded to include older persons.

Also included in the category of age-discriminated vulnerable groups are:

## Youth aged 18-35 years

According to the Kenyan Youth Survey conducted in 2015, 55% of the youth are unemployed, with females bearing the brunt at 62%. This is worse among rural young women, at 68%. They face the challenges of unemployment, are at risk of radicalisation, harassment by the police and impediments to accessing essential services such as education and healthcare.

As only 25% of the youth have completed secondary education, they cannot be integrated into formal and skilled employment. Youth form the bulk of casual labourers in the manufacturing sector as well as on the large agricultural farms. Joblessness has resulted in desperation and hopelessness. Consequently, some have fallen victim to radicalisation, extremism and terrorism, with those from northern and coastal regions and informal settlements being targeted with the lure of well-paying jobs and a good life.

## Children under 18 years

Children under the age of 15 make up 42.2% of the population. This category targets orphans and vulnerable children, street children and girls facing genital cutting, and early and forced marriages. They face vulnerabilities that predispose them to inequalities and socio-economic exclusion, especially from education opportunities. Some children in Kenya are exposed to the worst forms of child labour such as sand harvesting along riverbeds, khat picking, quarrying, coffee picking and even gold mining in some regions. There are an estimated 250,000 street children in Kenyan cities who are denied access to health and education services. Child prostitution and trafficking are common especially in the tourist centres of Nairobi, Mombasa, Malindi and Kisumu.

Interventions for youth and children that Voice in Kenya aims to support include:

- Orphaned boys' access to cash transfer programme;
- Street children's access to education and health services within their context;
- The abolishment of child prostitution, pornography and trafficking
- Access to secondary education for orphans and vulnerable children;
- Youth access to vocational and technical education;
- Youth vulnerable to radicalisation, extremism and organised crime.

## Indigenous groups and ethnic minorities

The Voice contextual analysis in Kenya established there are at least 21 ethnic groups with a population of less than 100,000. These groups are excluded from the mainstream in several ways, including:

- Lack of recognition by state agencies;
- Lack of recognition, preservation and protection of traditional land rights;
- Not being integrated into the labour market especially in public service;
- Lack basic infrastructure and services such as education, health and financial services.

For Voice, the opportunities are to work with grantees on issues of identification, preservation and protection of land rights; access to education and health services; and access to employment in public service (national and county level).

## Civil Society Influencing

As Kenya is a democratic country, there is substantial space for implementing Voice. This space is guaranteed by the Bill of Rights in the Constitution, the governance system, strong policy framework and legislative and adjudicative institutions. Civil society organisations at national and county levels also have the freedom to engage in governance processes.

In addition, as core national values, Article 10 of the Constitution provides for public participation, good governance, democracy, transparency, accountability, social justice, equality and sustainable development.

Individual citizens and civil society organisations have the liberty to engage in empowering the powerless.

Voice will target leadership at county level. It is tasked with the responsibility of developing jurisdictions and ensuring equitable opportunities for all while addressing the needs of marginalised groups and regions.

Efforts have been made to domesticate and implement international provisions through the creation of policy documents and a spectrum of legislation in Kenya. Although many policies have been adopted, they have not been implemented, monitored or evaluated.

The greatest challenge is the need for clearly defined systems of enforcement including strengthened capacity of law enforcers and the judiciary in child protection issues. This lack is coupled with a shortage of resources to implement and monitor laws and policies.

