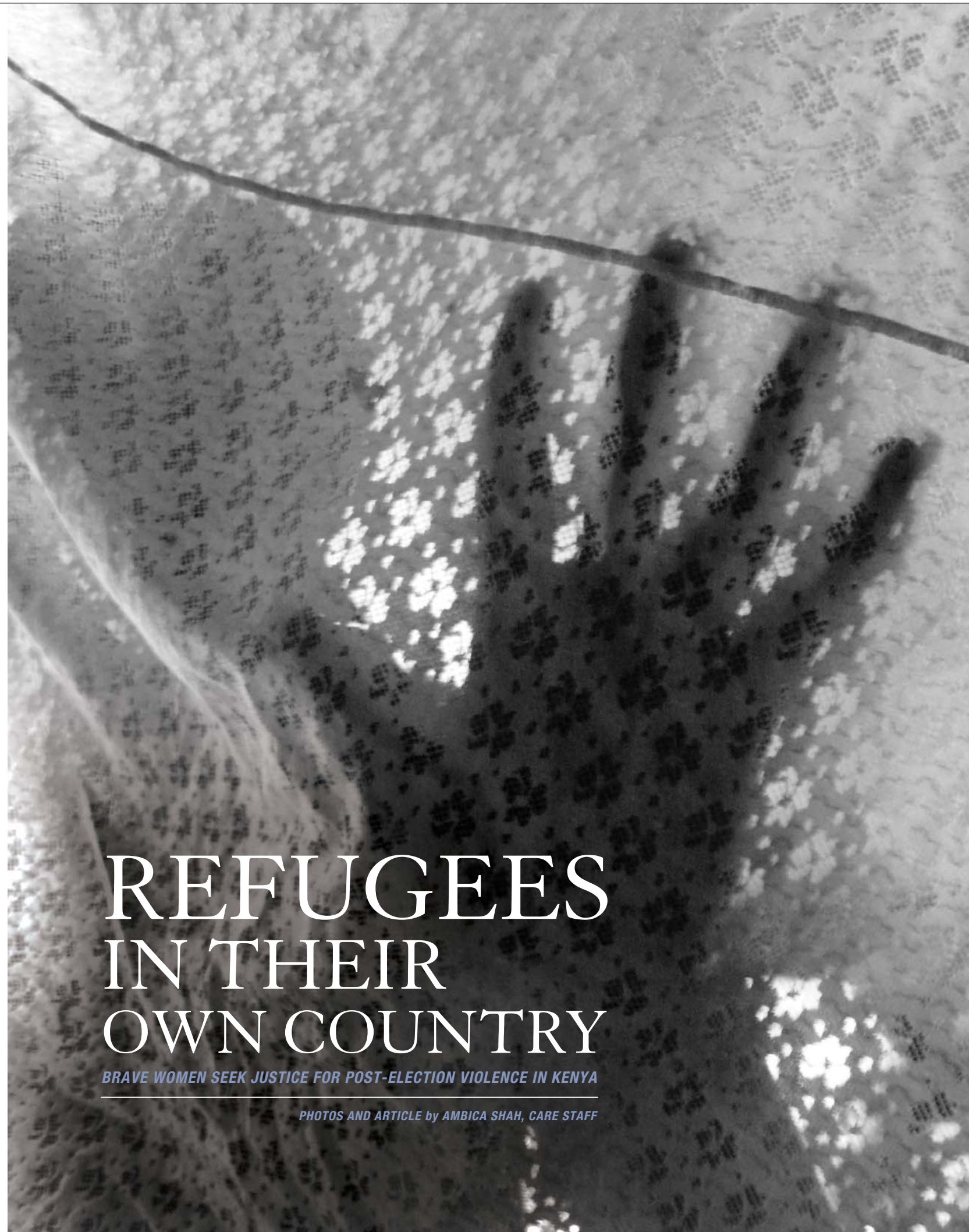


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REFUGEES IN THEIR OWN COUNTRY

BRAVE WOMEN SEEK JUSTICE FOR POST-ELECTION VIOLENCE IN KENYA

PHOTOS AND ARTICLE by AMBICA SHAH, CARE STAFF

Every morning she wakes up to his frightening face, an image she wants to erase from her memory but one she cannot escape. “He assaulted me with a machete and slashed my ribs before raping me,” she says as she recounts the nightmare she lived through during the Kenya post-election violence that began late last year.

On December 30, three days after Kenyans went to the polls, Joyce and her husband were drinking tea in their home when two men hacked down their door and attacked them with machetes. Thirty-two-year-old Joyce recognized her neighbors, the same men who raped her in broad daylight a few days earlier. This time, they grabbed her husband and took him away.

After wandering the streets searching for her partner, she found him beaten up but still alive, hiding on the banks on one of Nairobi’s filthiest rivers. As a result of the injuries he sustained, he spent two months at Kenyatta National Hospital. When he found out that his wife had contracted HIV as a result of the rape, he abandoned her and their four children.

With her home destroyed, Joyce moved to a camp for the internally displaced along with hundreds of other men, women and children on the outskirts of Nairobi.

“I AM A REFUGEE IN MY OWN COUNTRY,”

she says, bewildered by the brutality caused by her own people.



SIX MONTHS AFTER THE CONTESTED ELECTIONS, 20 RAPE SURVIVORS TESTIFIED TO SEEK JUSTICE FOR ACTS OF SEXUAL VIOLENCE.



“I appreciate living in the camp and don’t want to be left idle, but it is a harsh environment. Some days there is not enough food to go around or no soap to wash. When it rains, the tents get too wet and I sleep standing up under a polyester sheet.”

Six months after the contested elections and a power-sharing government in place, 20 rape survivors, including Joyce, testified before the Waki Commission of Inquiry. They seek justice for acts of sexual violence committed during the post-election turmoil.

Driven by hatred and rage, young hooligans and officers in uniforms raided the streets after the contentious election results were announced. Bodies piled up in the mortuaries, as innocent lives were lost based on which tribal identity card one held.

Women and children, who found themselves caught in the rampage, were attacked and often sexually abused. Until recently, their pain and losses had not been addressed. But their memories, as in Joyce’s case, continue to haunt them.

Millicent Obaso, CARE International’s HIV/AIDS and gender-based violence advisor, teamed up with Dr. Samuel Nthenya, chief executive for Nairobi’s Women Hospital and Jane Onyango, executive director of the Kenyan Federation of Women’s Lawyers, for the purpose of collecting testimonials and medical records proving that thousands of women were victims of gender-based violence in the months following the disputed presidential elections.

Their goal is to prosecute identified rapists and sexual offenders for committing a crime listed under the Sexual Offences Act, a law that was passed only in 2006 spearheaded by women’s rights activist and former MP Njoki Ndungu. The act was passed in parliament as a legal measure to protect girls, boys and women against discrimination and sexual exploitation, and as an attempt to reduce HIV prevalence in Kenya.

The women’s testimonies could lead to the first collective trial under the new legislation. Lawyers submitted evidence at a hearing on July 15 urging the Commission to present recommendations to President Mwai Kibaki to authorize harsh punishment for

the perpetrators and to compensate these women for the psychological, emotional and physical losses they have endured.

Several testimonies included accusations against the General Service Unit, a special force of the Kenyan military police, for participating in sadistic behavior and blatantly violating women and children. “Four men wearing police uniforms raped me and my 14-year-old daughter in front of my grandchildren,” states 50-year-old Ellen as she reflected over the atrocities.

Her daughter suffered a miscarriage and dropped out of primary school. As a result, her mother sent her away upcountry fearing the taboo brought upon her family might cause a dreadful sickness. Ellen testified in front of the Commission and said, “Today, I feel good and much stronger for testifying because now I know I am not alone.”

CARE, along with other civil society organizations, seeks to combat gender-based violence by strengthening women’s voices in promoting women’s human rights. “As a humanitarian agency, we need to provide social protection for these women and advocate for their compensation,” says Obaso of CARE. CARE also helps women restore their livelihoods and dignity by linking them to village savings and loan groups.

“If another wave of violence hits this country, we must be prepared to reach out and evacuate women and children or at the very least, take them to safe havens before it is too late,” she explains.

So what does the future hold for these brave women who have courageously testified in front of the Waki Commission investigating the post-election violence in Kenya?

“The very act of testifying,” says Obaso, “asserts women’s rights in a male-dominated society. Testifying can empower survivors of gender violence to take on the role of activists in promoting better treatment of women. Training and support can help these women move away from a ‘victim mentality’ and become powerful catalysts in helping others who have suffered sexual violence and in building safer communities.” ■



Ambica Shah/CARE

“AS A HUMANITARIAN AGENCY, WE NEED TO PROVIDE **SOCIAL PROTECTION** FOR THESE WOMEN AND ADVOCATE FOR THEIR COMPENSATION.”

