

MEMORANDUM TO THE TECHNICAL WORKING GROUP ON GENDER-BASED VIOLENCE (GBV) INCLUDING FEMICIDE

Memorandum submitted by MIDRIFT HURINET'S Beatrix Arusei:

Team Lead: Women, Peace and Security Department


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1. INTRODUCTION

MIDRIFT HURINET is a non-profit organization established in 2008, dedicated to promoting peace, good governance, and human rights throughout Kenya. The organization has been actively engaged in violence prevention and the rehabilitation of GBV survivors through Mental Health and Psychosocial Support (MHPSS) in Nakuru, Nairobi, Baringo, and Kisumu counties. In Nakuru County, MIDRIFT works closely with the Nakuru County Department of Health, strengthening the capacity of Community Health Promoters and Community Health Extension Workers to deliver mental health services in the targeted areas.

MIDRIFT implements advocacy and awareness raising programmes for communities in Nakuru, Baringo and Nairobi. The advocacy programmes seek to promote the rights of survivors of Gender based violence while raising awareness on harmful norms and cultural practices that promote the perpetration of Gender Based Violence. The MHPSS intervention targets community members in informal settlements who normally would not be able to afford mental health services. In addition, MIDRIFT targets duty bearers to ensure access to justice for survivors of violence and perpetrators are held accountable; protection of citizens from further violence; uphold and respect human rights for all and address the gendered impacts of violence.

Further, the organisation helps stakeholders to generate knowledge, create a common agenda, jointly develop strategies, new tools and action plans, strengthen capacity and establish coordination and collaboration structures and platforms to address communities' systemic challenges. Among the knowledge products MIDRIFT has produced include 2 research documents titled; [Understanding the Root Causes of GBV in Nairobi](#)¹ and [Root Causes of Gender-Based Violence in Informal Settlements in Nakuru](#).

Therefore, this memorandum is premised on empirical studies, best practices, experiences and lessons learned from our interventions in the communities.

2. KEY SUBMISSIONS

In 2024, the country experienced an unprecedented surge in femicide, with at least 170 women killed—the highest annual toll on record according to Africa Uncensored and Odipo Dev. This represents a 79% increase from 2023, when 95 cases were recorded. Between September and November 2024 alone, law enforcement agencies recorded 97 femicide cases, averaging more

¹ https://midrifthurinet.org/download/root-causes-of-gbv-in-informal-settlements-in-nakuru-kenya/?wpdmdl=25817283&masterkey=4MSkgZvmTVO6OhMdCMPISjZzG9mxhd47P7NZZ-XPTZHBzppYWPC3JvEXzJdav9GZUcRfD1KTtytTr90Xa5TgXMSV2NcO9NpUEF9Yr6OA_7nTVwqAj68AXoVU9ryUR_JI

than one woman killed every day. Activists attribute the rise in gender-based violence to systemic misogyny and inadequate legal protections². Nairobi, Kiambu, and Nakuru Counties have reported the highest incidences of femicide-related killings³.

1. Structural and Cultural Barriers to Justice and Support for Survivors of Gender-Based Violence in Nakuru County

- a) Systemic barriers significantly hinder survivors' access to medical support and justice. These include the **high cost of medical services and legal proceedings, fees associated with essential legal documents such as the P3 form, and inconsistent availability or willingness of medical personnel to complete these forms.** The government's imposition of charges for critical reporting documents further discourages survivors from seeking help, ultimately undermining accountability and justice for gender-based violence.
- b) There is a lack of budgetary allocation and weak implementation of existing policies and laws, such as the National Policy on Gender and Development. Femicide is currently prosecuted under general offences like murder or manslaughter, without specific legal recognition, and enforcement remains inadequate—particularly in addressing technology-facilitated gender-based violence.
- c) Across police stations in Nakuru County, the number of gender desks is limited. Where they do exist, many are poorly equipped, lack dedicated personnel, or are staffed by individuals without the necessary skills and competencies to effectively support and respond to clients' needs.
- d) There is a critical shortage of public rescue centers, safe homes, and rehabilitation facilities in Nakuru County, limiting the protection and support available for survivors of gender-based violence (GBV).
- e) There is a lack of a well-coordinated referral network for survivors of gender-based violence (GBV) in Nakuru County, making it difficult for individuals to safely exit abusive relationships, access medical care, and pursue economic empowerment. This fragmentation in service delivery often traps survivors in cycles of violence, which in some cases escalate to femicide.
- f) The lengthy and costly judicial process poses a significant barrier for survivors and victims of gender-based violence (GBV) in accessing justice and holding perpetrators accountable. This discourages many survivors from pursuing legal action, leading to widespread underreporting of cases.
- g) Lack of consolidated GBV data in Nakuru and nationally hinders evidence-based interventions. This contributes to a serious data gap, making it difficult to ascertain the true scale of GBV in the country. As is often said, "if it's not reported, it never happened" a reflection of how systemic barriers silence survivors and obscure the urgency of the issue. The data gap also emboldens perpetrators of GBV.,.
- h) Cultural norms and societal stigma continue to perpetuate gender-based violence by normalizing, excusing, or trivializing acts such as sexual violence and wife battering. These

² Source: <https://www.idea.int/democracytracker/report/kenya/january-2025>

³ <https://www.africadatahub.org/femicide-kenya>

deeply rooted attitudes reinforce rape culture and marginalize the role of women in society. MIDRIFT's 2023 study (attached) on the root causes of gender-based violence in informal settlements in Nakuru County highlights this reality. Respondents in the study revealed that in certain communities, it is considered normal for a man to beat his wife, with some even suggesting that prolonged periods without such violence may lead a woman to feel unloved and provoke the abuse—an alarming reflection of how entrenched and distorted these cultural beliefs have become.

- i) Marginalized groups, including LGBTQ+ persons, sex workers, and people with disabilities face discrimination from both authorities and community members. Factors such as religious beliefs, lack of understanding, and inadequate legal protection hinder their ability to report GBV incidences to the police.
- j) Limited community awareness and education on gender-based violence and femicide, combined with widespread lack of public trust in government agencies mandated to prevent and respond to violence, significantly hinder the reporting of cases. This mistrust has contributed to the rapid emergence and mushrooming of informal justice systems, such as kangaroo courts, which further undermine survivors' access to justice. Additionally, bribery and corruption within formal institutions continue to obstruct effective response and accountability.
- k) Persons with Disability face multiple barriers when seeking GBV related services including; lack of sign language interpreters, physical inaccessibility to facilities and materials in accessible formats for individuals with hearing or visual impairments.

3. RECOMMENDATIONS

1. Improve Access to Justice and Streamline Judicial Processes

- Address barriers to reporting and ensure free, timely access to critical government documents, particularly the P3 form, in line with the 2020 High Court ruling.
- Expedite GBV case handling within the criminal justice system by ensuring thorough investigations, proper documentation, and timely prosecution.
- Train police officers on gender-responsive, trauma-informed approaches to improve survivor support and case management.
- Fully implement and strengthen existing laws and policies related to GBV, including amending legal frameworks to explicitly address femicide.

2. Strengthen and Expand Support Services for Survivors

- Establish and operationalize gender desks in all police stations and posts, alongside safe spaces within health facilities for confidential, stigma-free reporting.
- Set up county and nationally funded rescue centers, safe homes, and rehabilitation centers (including for substance abuse) to safeguard and support survivors.
- Create a government chemist in Nakuru County to accelerate forensic investigations and improve case resolution.
- Disability sensitive training among service providers to make the services inclusive and accessible to the needs of Persons With Disability.

3. Enhance Mental Health and Psychosocial Support (MHPSS) and Referral Systems



- Promote awareness of mental health and psychosocial support services within communities and train community leaders to identify and refer GBV survivors appropriately.
- Improve coordination and collaboration between sectors through an intersectoral approach to ensure timely, seamless referrals and access to comprehensive survivor services including legal aid.

4. Address Financial and Administrative Barriers

- Raise awareness about fee waivers and streamline administrative processes to reduce delays in medical assessments and reporting for GBV survivors, mitigating vulnerability and breaking the cycle of violence.
- Advocate for specific budget allocations for GBV prevention and response within national and county development budgets.

5. Promote Community Engagement and Prevention through Inclusive Approaches

- Engage men and boys as active allies in preventing femicide and GBV through targeted interventions in schools and social institutions.
- Strengthening and promoting access to comprehensive and age appropriate sex education programs in schools and in the community are key for ensuring awareness and empowerment of children and young people while destigmatizing sex
- Increase community awareness and education on GBV and femicide to challenge harmful norms and encourage reporting.

6. Enhance Data Systems

- Develop regulations for the timely and frequent dissemination of disaggregated GBV data (by gender, age, location) to inform policy, target interventions, and identify high-risk groups.

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Signature



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