



NAIROBI HUMAN RIGHTS DEFENDERS NETWORK  
**CAPACITY AUDIT REPORT**



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## **CAPACITY AUDIT REPORT**

**The National Coalition of Human Rights Defenders - Kenya (NCHRD-K)**

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## ACRONYMS AND ABBREVIATIONS

<b>HRD</b>	Human Rights Defenders-K
<b>NCHRD</b>	National Coalition for Human Rights Defenders-Kenya
<b>KNCHR</b>	Kenya National Commission on Human Rights

### DEFINITIONS

#### **Human Rights**

are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status.

#### **Human Rights Defender**

The Declaration on human rights defenders refers to HRDs as “individuals, groups and associations (...) contributing to the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals”.

## ACKNOWLEDGEMENT

The National Coalition of Human Rights Defenders-Kenya (NCHRD-K) is grateful to the Nairobi Network coordinating team and Human rights Defenders in the seventeen sub-counties of Nairobi who took part in the research shared, provided constructive feedback and information towards the writing of this report. Without their courage, openness and bravery, this report would not have been possible. Owing to imminent threats, intimidation and harassment facing HRDs advocating for their rights and of their communities.

The conceptualization, design and writing of this report would not have been possible without the excellent support and strategic guidance of the

Nairobi Network coordinating team ,NCHRD-K staff and program associates .We would like to applaud all the enumerators who took their valuable time and engaged the respondents during the research period to ensure that the plight of HRDs in Nairobi is highlighted.

We also acknowledge the valuable input by Dickson Wandeda ,lecturer University of Nairobi who ensured that the report was well articulated and also took time to build the capacity of Human Rights Defenders to better their research skills.

Finally, we thank the Swedish International Development Agency(SIDA) for the financial support offered to ensure that this report has been made possible.

Based on key findings, some issues emerged in the report. First, majority of the HRDs in Nairobi County have tertiary education, most are engaged in self-employment, and 80% are affiliated to organisation which are pro-human rights defenders and 69% do not have regular income.

Secondly, the work of human rights defenders is important to promote and protect human rights and the rule of law. This can be achieved through regular training on the rights of HRDs. The report identified that 85% of the human rights defenders need support on human rights and advocacy, support further training on human rights, support on

self-care, support on medical care and employment opportunities.

Finally, there is need for National Coalition of Human Rights Defenders-Kenya and other stake holders to organize regular human rights training workshops for HRDs. Training for human rights defenders should include training on professionalizing their work as well as on relevant security precautions. Training should involve capacity building that equip human rights defenders with practical knowledge and skills that can enable them acquire gainful employment besides being human rights defenders. Training on practical skills like report writing, data entry technique and analysis, investigative research are recommended.



## 2.

## BACKGROUND AND INTRODUCTION

Human rights defenders are the source of inspiration in promoting and protection of Human Rights in Kenya and everywhere in the world. If you silence HRDs then impunity reigns and human rights violations spiral out of control; the freedoms of all are threatened; Human rights accountability is at the core of democratic governance;

The state response to the work of human rights defenders in the early 1990s

- The murder of Karimi Nduthu in 1996
- The Murder of Fr John Antony Kaiser
- The post 2007/8 work of HRDs
- The deaths of ICC witnesses and branding of HRDs as criminals, terrorists or foreign agents.
- The many arrests and prosecutions with HRDs having three to six cases: the case of Kepta, Gacheke etc.

- Threats on the lives: The murder of Oscar Kingara and Olu GPO, enforce disappearances
- The formation of the National Coalition of Human Rights Defenders-Kenya
- This Baseline survey: What necessitated it?

This report has covered:

- the methodology of the baseline survey,
- the findings and;
- the conclusions and recommendations

## ABOUT NCHRD-K

The National Coalition of Human Rights Defenders (NCHRD-K) is a national organization incorporated in the Republic of Kenya as a Trust. It works primarily for the protection of human rights defenders in Kenya and its mission is to strengthen their capacity to work effectively and without fear. NCHRD-K works towards the achievement of its mandate through three programmes—Protection, Advocacy and Capacity Building. The first aims to develop appropriate preventative and intervention strategies for the protection of HRDs by offering those in distress legal, medical and psychological support; the second strives to achieve a conducive legal and policy environment for HRDs through coordinating and harmonizing NCHRD-K advocacy interventions with those undertaken by its partners; while the Capacity one works towards skill enhancement of HRDs, equipping them with the necessary skills and security management techniques to ensure their own safety in the defense of human rights.

## ABOUT THE NAIROBI HUMAN RIGHTS DEFENDERS NETWORK

The Nairobi human rights defenders network was formed as a result of a resolution by HRDs self-care and planning reflection that took place at Sarakasi on 12<sup>th</sup> December 2017. The network seeks to bring all HRDs in Nairobi County together for effective solidarity, campaigns, socio-economic empowerment and personal development. The Nairobi network Vision is to live in a human rights city and Mission is to create a united and vibrant community of HRDs in Nairobi. The Nairobi Human Rights Defenders Network has 5 Objectives which are: HRD Economy, HRD Wellness, Capacity Building, Solidarity and Protection, Media and Communication. Capacity Building; Do a capacity audit on HRDs in the County, Identify the gaps that exist, Enhance HRDs skills so that they can work effectively and to Establish a sustainable HRD support mechanism for HRDs and by HRDs.

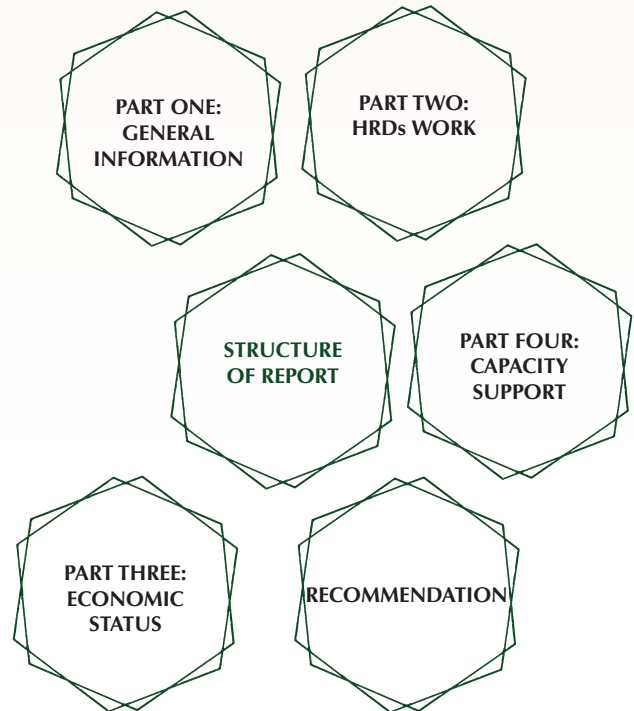
### 3.

## METHODOLOGY OF THE BASELINE RESEARCH STUDY

National Coalition of Human Rights Defenders-Kenya developed a comprehensive questionnaire to collect information on the work of HRDs in the seventeen sub-counties of Nairobi. The questionnaires were designed to extract information on; HRDs bio data, capacity support, HRDs work, rights and freedom and economic status. National Coalition of Human Rights Defenders-Kenya identified 697 HRDs in the seventeen sub-counties of Nairobi. Questionnaires were administered by a team of well trained professional researchers. Data collection was done on the month of May 2018. Collected data were coded in SPSS and analysed based on descriptive statistics that captured bar charts, pie charts, frequency tables, the mean, and mode of the parameters of interest for this report.

The collected data provided will also assist in developing database for Nairobi HRDs, and producing a report that would assist in capacity

building plans by National Coalition of Human Rights Defenders-Kenya and consolidate initiatives of HRDs and start the process of establishing a sustainable HRD support mechanism, for HRDs and by HRDs.



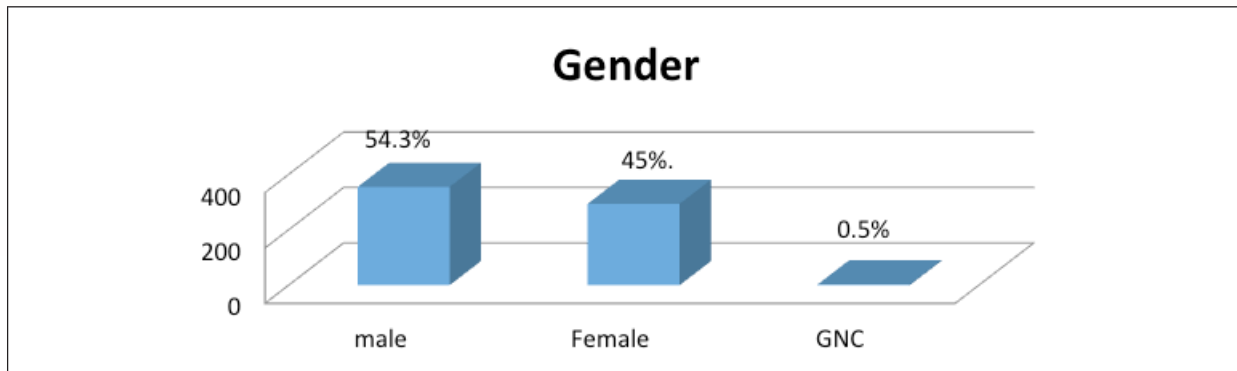
## 4.

### STUDY FINDINGS

#### i) HRDs-General Information

The report sought to establish the general information about the HRDs in Nairobi County. The subsequent tables provide the general information about HRDs in Nairobi. Figure 1 below shows that 54.3% of the HRDs in Nairobi County are male while 45% are female. 0.5% are gender non-conforming.

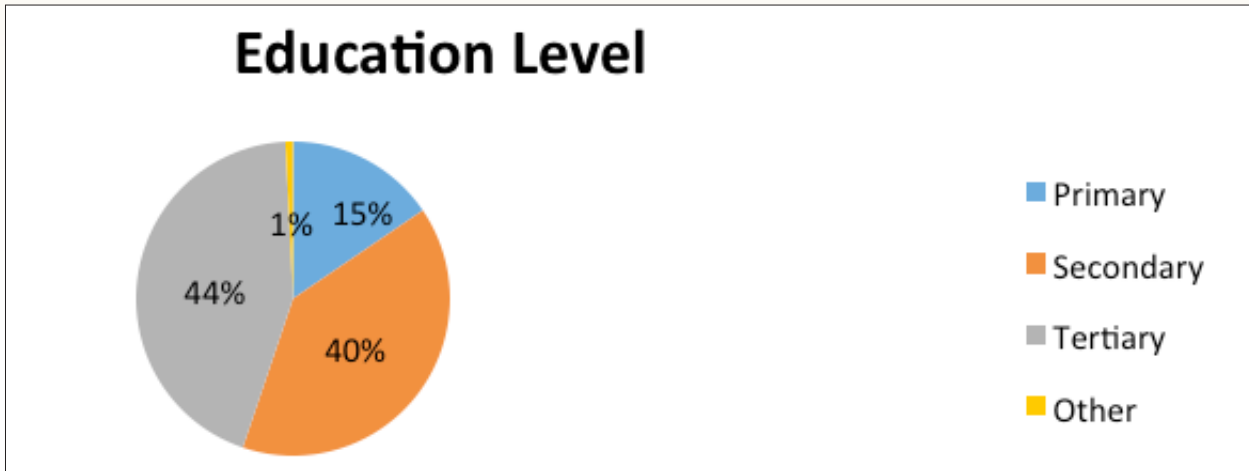
**Figure 1** Gender



Source: Computer from SPSS

Majority of the HRDs (44%) have tertiary education with only a small proportion of 15% with primary education qualification.

**Figure 2** Education level

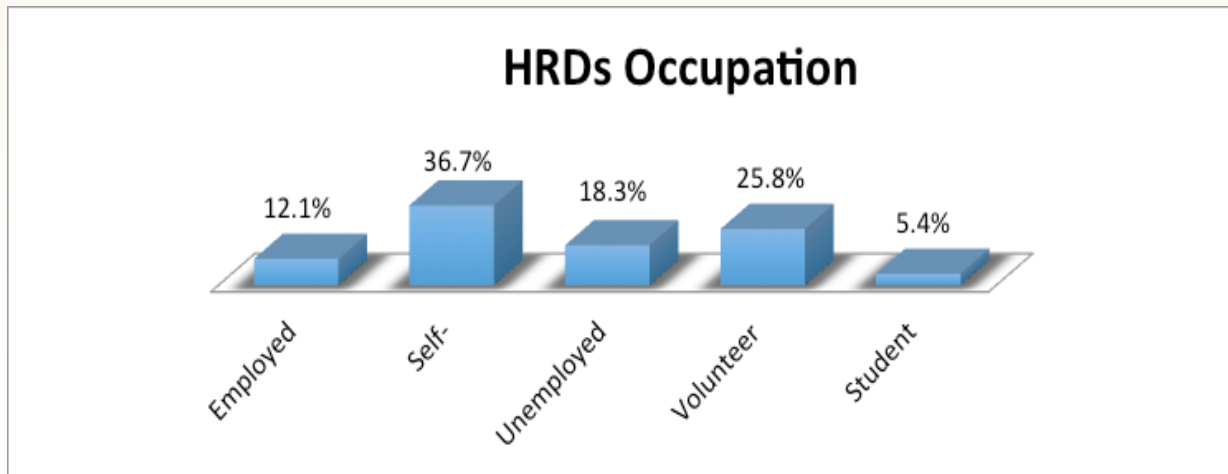


Source: Own computation from SPSS

Many people work in a professional capacity as human rights defenders and are paid a salary for their work. However, there are many others who work in a professional capacity as human rights defenders but who are volunteers and receive no

remuneration. The analysis indicates that majority of HRDs in Nairobi County (36.7%) are self-employed, 25% are volunteers, 18% are unemployed, and 12.1% are employed while 5.4% are students.

**Figure 3** HRDs Occupation



Source: Own computation from SPSS

Table I shows that most of the HRDs in Nairobi (80.6%) are affiliated to organizations with only 14.8% are not affiliated to any organization.

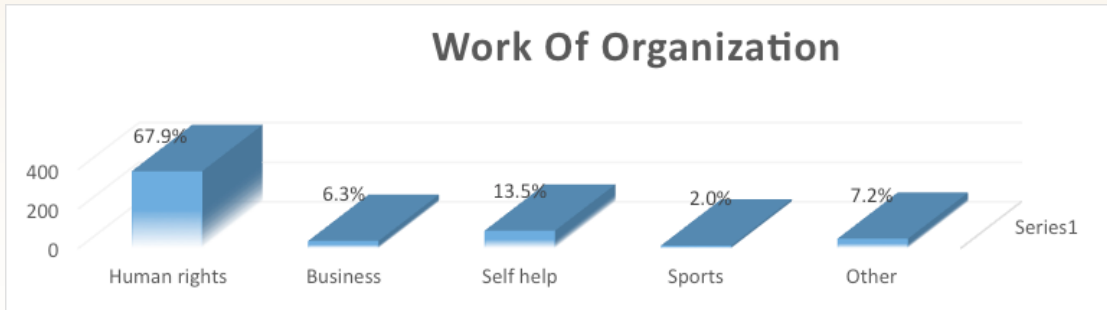
**Table 1** Affiliation

AFFILIATION		Frequency	Percent
	Affiliated	527	80.6
	Not affiliated	97	14.8
	Total	624	95.4
Total		654	100.0

Source: Own computation from SPSS

The analysis further shows that 67.9% of the affiliation organizations are engaged in human rights (figure 4) with 13.5% HRDs affiliation engaged in self-help group.

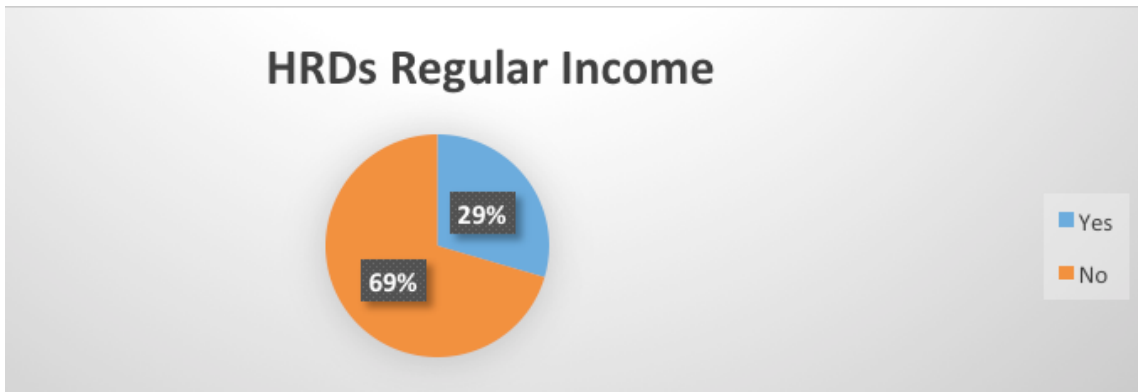
**Figure 4** Work Organizations



Source: Own computation from SPSS

HRDs were asked to indicate if they have regular income. The finding indicates that majority (69%) do not have regular income as shown in figure 5 below.

**Figure 5** Regular income



Source: Own computation from SPSS

## ii) HRDs WORK

Table 2 provides information about HRDs work in Nairobi County. The findings indicate that nearly all HRDs are engaged in defending human rights (96.9%). Majority of HRD work part time in defending human rights (65.1%) with only 30% of HRD working full time. Majority of the respondents (41.1%) have been active in human rights defence over five years, 19.4% have been active in HRD work for less than one year, 17.4% have actively been involved in human right defence for not more than 2 years.

**Table 2** HRDs Work

		Frequency	Percent
I am a human rights defender (HRD):	Yes	634	96.9
	No	15	2.3
	Total	649	99.2
I do HRD work:	Full time	200	30.6
	Part time	426	65.1

I've been active in HRD work for:	Under 1 year	127	19.4
	1-2 years	114	17.4
	2-5 years	122	18.7
	Over 5 years	269	41.1
	Total	632	96.6

Source: Own computation from SPSS

The findings in table 3 shows that very few HRDs have read and understand the African Charter on Human and People's rights (6.9%). However, majority of the HRDs have read and understand the Universal Declaration of Human Rights and Chapter 4 of the Kenyan Constitution 2010-Bill of rights as shown by 43.3% and 35.9% rating respectively.

**Table 3** Information on human rights

I have read and understand		
	Frequency	Per-cent
The universal declaration of human rights	290	44.3

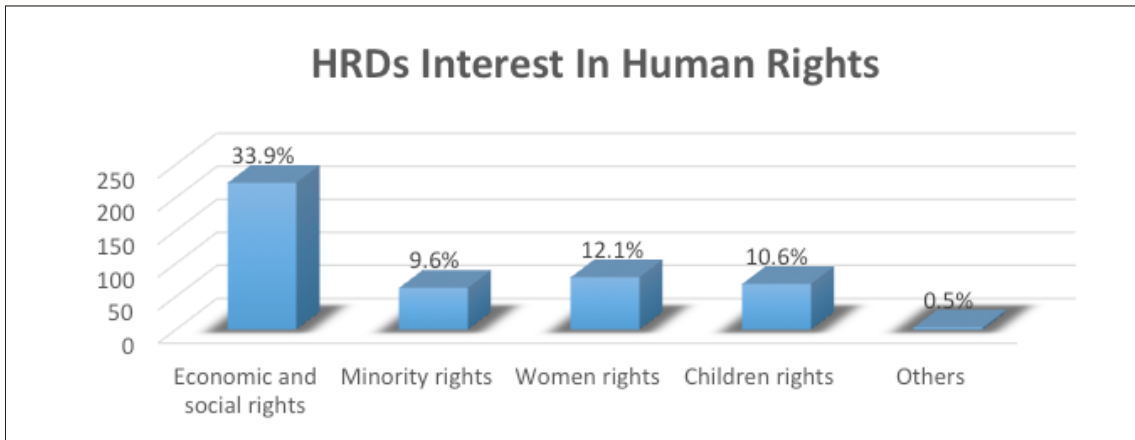


The African Charter on Human and People's rights	45	6.9
Chapter 4 of the Kenyan Constitution 2010-Bill of Rights	235	35.9

Source: Own computation from SPSS

Majority of human rights defenders are interested in economic and social rights of the citizens (33.9%), women rights come second at 12.1%, followed by children rights at 10.6% while minority rights are least pursued (9.6%) by human rights defenders.

**Figure 6** HRDs interest in human rights



Source: Own computation from SPSS

According to the report, majority of the HRDs in the past have worked on eviction and extrajudicial killing (48.5%), 15.3% of HRDs have also engaged in police brutality and arrest, 7.5% have worked on anti-grabbing while 7.3% agitated against food prices.

**Table 4** *Human rights issues worked on by HRDs in the past*

	Frequency	Percent
Evictions and extrajudicial kill	317	48.5
Food prices	48	7.3
Anti-grabbing	49	7.5
Police brutality/arbitrary arrest	100	15.3
Others	63	9.6

Source: *Own computation from SPSS*

Gathering and disseminating information, advocacy and the mobilization of public opinion are often the most common tools used by human rights defenders in their work. They participate actively in the provision of the material and means necessary

to make human rights a reality—building shelter, providing food, strengthening development, etc. They work at democratic transformation in order to increase the participation of people in the decision-making that shapes their lives and to strengthen good governance. They also contribute to the improvement of social, political and economic conditions, the reduction of social and political tensions, the building of peace, domestically and internationally, and the nurturing of national and international awareness of human rights. A further major action undertaken by human rights defenders is the provision of human rights education. In some instances, education activities take the form of training for the application of human rights standards in the context of a professional activity, for example by judges, lawyers, police officers, soldiers or human rights monitors. In other instances, education may be broader and involve teaching about human rights in schools and universities or disseminating information on human rights standards to the general public or to vulnerable populations. Therefore adequate

training is important for HRDs. The report as shown below indicates that majority of HRDs (60.2%) have attended human rights training (Figure 7) while only 39.8% have not attended human rights training.

**Figure 7** Human rights training

Source: Own computation from SPSS



iii) **Economics/Livelihoods**

Table 5 below provides information about economic status of HRDs in Nairobi County.

**Table 5** Economic status of HRDs

Economic Status of HRDs			
		Frequency	Percent
I am unemployed but	Have plans to change status	282	81.3
	Don't have immediate plans to change status	65	18.7
I am the bread-winner	Yes	483	78.8
	No	130	21.2
I am dependent on my family	Yes	382	67
	No	188	33
Number of dependents, if any	0	26	5.4
	1	31	6.4
	2	65	13.5
	3	75	15.5
	4	92	19
	5	74	15.3
	6	61	12.6
	7	17	3.5
	8	23	4.8
I am a member of a SACCO	Yes	244	40.0
	No	366	60.0
I have medical insurance cover	Yes	267	42.3
	No	364	57.7
My medical insurance covers	Only myself	74	27.6
	Both myself and family	194	72.4

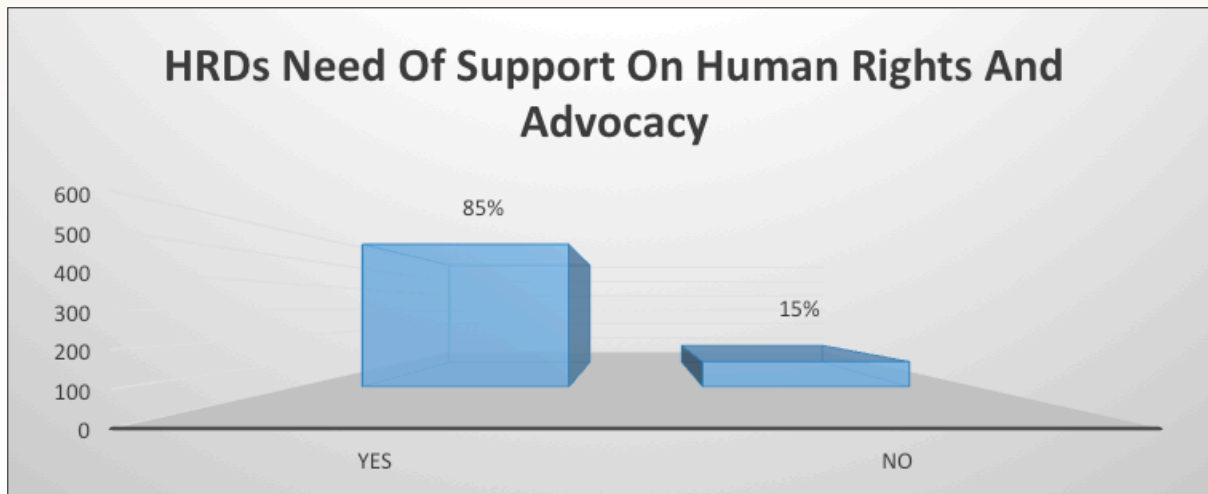
Source: Own computation from SPSS

Results from the analysis show that most of the HRDs are unemployed (81.3%) and have the desire to change to gainful employment while a paltry 18.7% are unemployed but not willing to look for employment opportunities. Majority of HRDs have dependents of 3 (15.5%) with highest dependent size of 9 (2.9%). It is evident from the result that a big proportion of the HRDs are not members of SACCO (60.0%), only 40% of the HRDs are members of SACCO. Most of the HRDS do not have access to medical insurance cover (57.7%) while majority of them who have access to medical insurance cover share with the family members (72.4%).

#### iv) **Capacity Support for HRDs**

The work of human rights defenders is essential to promote and protect human rights and the rule of law. Despite this, human rights defenders are increasingly subject to harassment, restrictions and reprisals for their work. Therefore, there is need to support human rights defenders by building their capacity and expertise, enhancing their recognition and protection under international law. The report established that 85% of the human rights defenders indicated that they need support on human rights and advocacy as shown in figure 8 below.

**Figure 8** HRDs need of support on human rights and advocacy

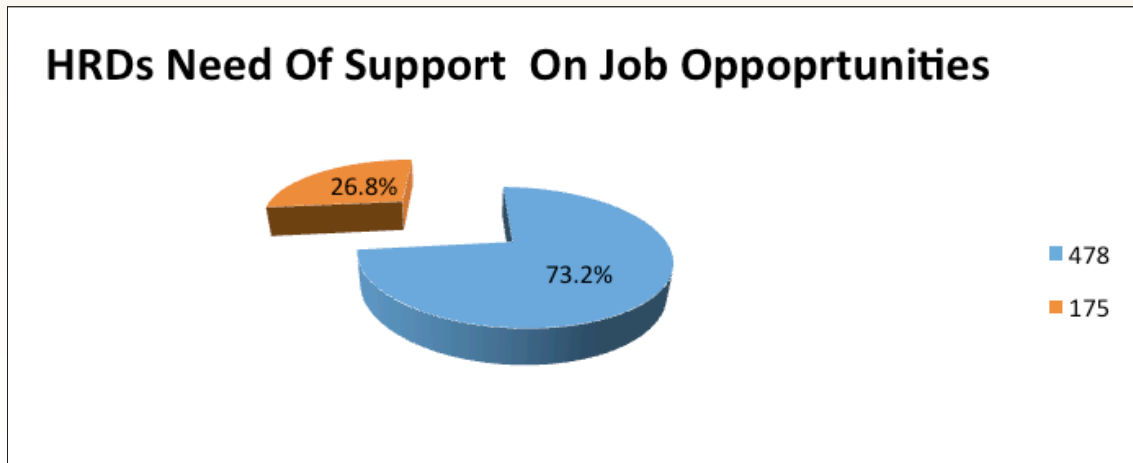


Source: Own computation from SPSS

The study found out that most Human Rights defenders need a job in order to be sufficiently stable in carrying out their Human Rights work. Majority of

the human rights defenders (73.2%) indicated that they need support on job opportunities as shown in figure 9 below.

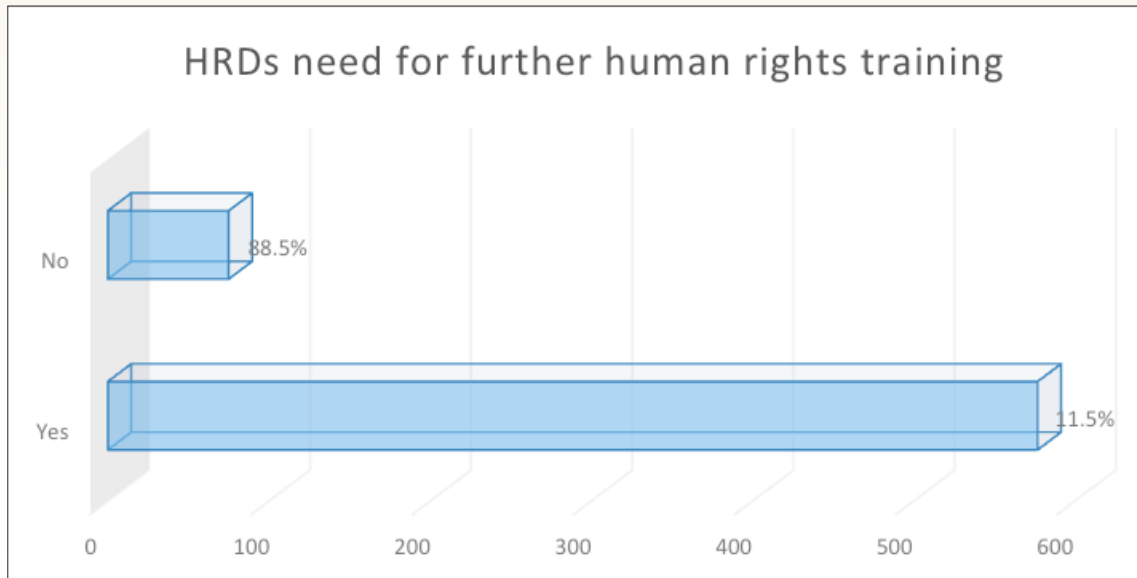
**Figure 9** HRDs need of support on job opportunities



Source: Own computation from SPSS

Majority of the human rights defenders overwhelmingly (88.5%) indicated that they need further training on human rights (see figure 10 below).

**Figure 10** *Human right defenders need for further training on human rights*



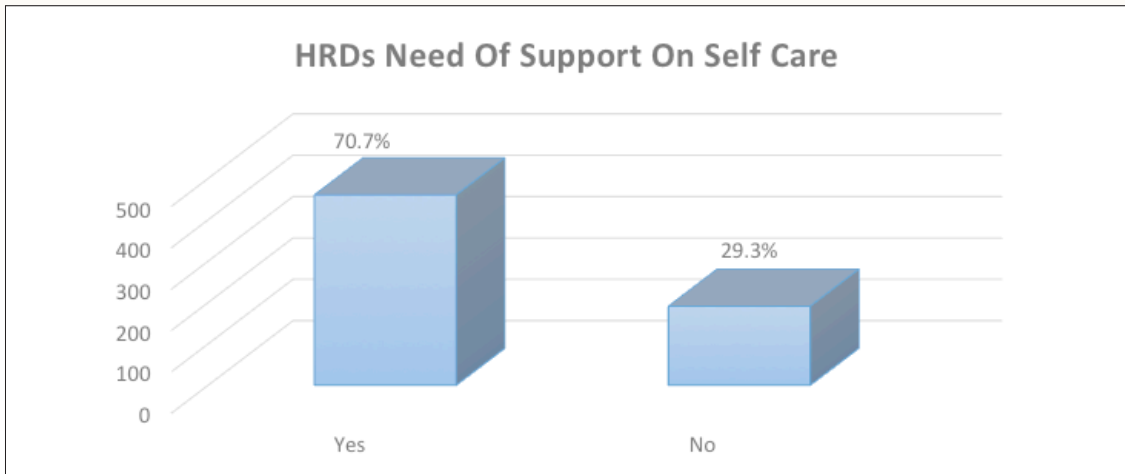
Source: Own computation from SPSS



Self-care plays an integral part in human rights defenders. The report sought to know if human right defenders need support in self-care. The analysis

from HRDs response indicates that majority (70.7%) are in need of self-care support (figure 11).

**Figure 11** HRDs need of support on self-care

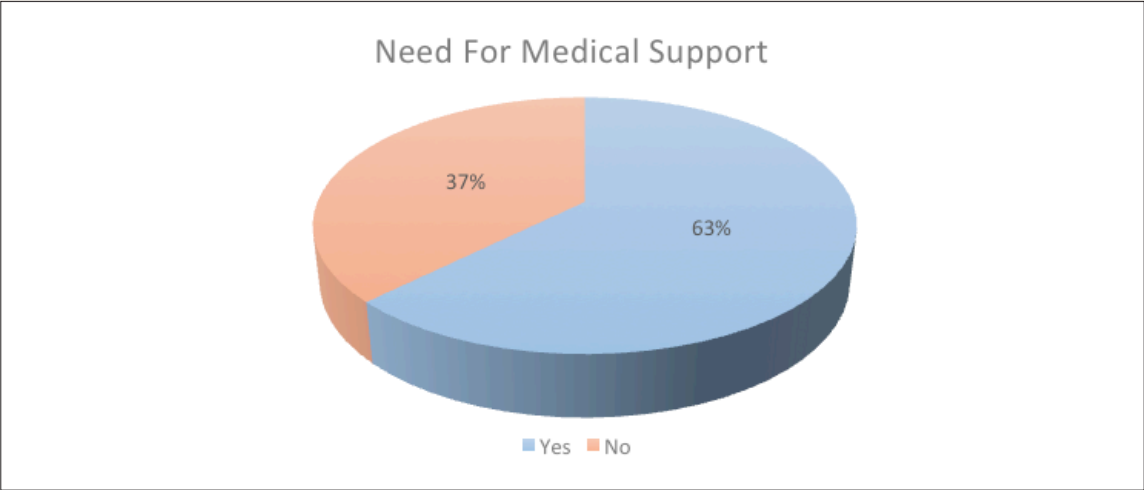


Source: Own computation from SPSS

HRDs are exposed to risks that ranges from police harassments, threats, and physical injuries and therefore there is need for HRDs to have access to

medical insurance. Top on the list, HRDs, through the survey, indicated that they need support in Medical insurance ( See figure 12 below).

Figure 12 HRDs need for medical support



Source: Own computation from SPSS

## 5.

### CONCLUSIONS AND RECOMMENDATIONS

Based on the empirical findings from the HRDs survey, We can make the following conclusions

- a) Most HRDs in Nairobi operate in informal settlements and their economic status is weak
- b) The skills and capacity gap is significant
- c) HRDs suffer major vulnerability, with very weak support networks

From the Baseline Survey, the report recommends the following;

- o National Coalition of Human Rights Defenders-Kenya and other stake holders to organize regular human rights training workshops for HRDs. Training for human rights defenders should include training on professionalizing their work as well as on relevant security precautions.
- o Training should involve capacity building that equips human rights defenders with knowledge

and skills that can enable them acquire gainful employment besides being human rights defenders e.g. practical skills in data entry, report writing, statistical packages like SPSS etc.

- o National Coalition of Human Rights Defenders-Kenya to create support networks among human rights defenders and also with other key actors, such as the media, the church, civil society in general and relevant private sector actors. Networks are especially important at the local, national and regional levels, but are also useful at the international level.
- o Define a strategy and procedures for the urgent protection of human rights defenders facing threats. A strategy should include criteria for deciding whether the situation of risk justifies communicating information to the regional and international protection networks, in which case great care must be taken to present accurate and complete information.
- o Campaigning and advocating for the protection



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