

# RISKING RAPE TO REACH A TOILET

WOMEN'S EXPERIENCES IN THE SLUMS OF NAIROBI, KENYA

HOUSING IS A HUMAN RIGHT

AMNESTY INTERNATIONAL



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**More than half the residents of Nairobi live in informal settlements and slums. Their housing is inadequate and they have little access to clean water, sanitation, health care, schools and other essential public services.**

This deprivation hits women and girls particularly hard. They need greater privacy than men when using toilets and washing themselves. Many women have to walk long distances to reach toilets, which after dark becomes especially dangerous. Violence against women is widespread and goes largely unpunished because of ineffective policing in Nairobi's slums and informal settlements. Gender-based violence drives women into poverty and prevents them from escaping poverty.

Women and girls in Nairobi's slums live under constant threat of violence in their everyday lives – at home, at work and on the street. There is little or no police presence and if women fall victim to violence they are highly unlikely to see justice done. The government has not lived up to its obligations to ensure that essential services are provided: sanitation is inadequate, street lighting absent and policing is ineffective.

## **NO ESCAPE**

Violence against women is rampant in Nairobi's slums. Whether physical, sexual or psychological, the ever-present threat of violence looms large in all their lives. At home, at work or on the street, women and girls are at risk of violence at the hands of gangs, family members, employers and government security personnel. There is nowhere they can escape to for safety.

Many women who suffer gender-based violence do not seek justice or compensation, preferring to suffer in silence rather than report a crime to the authorities, or even to their families and communities.

*"I didn't report it to the police. Even if I did, what good would it do?"*

Karen, who was raped by her ex-husband, Mathare, 18 February 2010

The justice system is far removed from women's lives, both because of the absence of police in the slums and because of the multiple obstacles that women face in access to justice. Women fear that the authorities will not even recognize that what has been done to them is a crime, particularly if the abuse was within the family. Unfortunately, when it comes to domestic violence, this attitude prevails even within communities and families. Women also hesitate to report crimes when they know that they will be at risk of reprisals if they alert the authorities, and that they will not be protected.

*"My husband thinks that domestic violence, particularly physical violence, is normal."*

Woman in focus group discussion, Mathare, 18 February 2010

Amnesty International spoke to 130 women living in four slums in Nairobi in February



2010. Almost all said that they faced the greatest threat of violence within the confines of their own homes. For the few women who do report domestic violence to the authorities, the response is not encouraging.

*“The police do not want to be involved in cases of alleged violence perpetrated in the home – they would always advise you to go back and sort it out with the alleged perpetrator.”*

Woman in focus group discussion, Mukuru Kwa Njenga, 16 February 2010

Outside their homes, women in slums are confronted by loitering gangs of unemployed youths and men. Such gangs have been responsible for a litany of crimes targeting women – muggings and physical attacks among others. The danger is worse at night when the narrow streets of the slums are badly lit with hardly any

police presence. During the chaos and violence that followed Kenya’s 2007 elections, gangs raped and assaulted a large number of women and girls from their communities.

*“The youths came into my house; they were carrying weapons of all sorts. Two of them placed a machete on my head and shoulders and they said that if I spoke or called out they would kill me immediately. I was hit by something on my back and pushed by someone and I fell to the floor. I felt two people rape me but I don’t know how many raped me in total as I lost consciousness...”*

Njambi, Kibera, 15 February 2010

The authorities have not addressed women’s calls for a greater police presence in the slums. When police have come into the slums, rather than protect women, they have represented yet another

**Mukuru Kwa Njenga, a slum near Nairobi’s industrial area. Comparatively new, it is built partly on state-owned land and partly on land owned or informally assigned to private owners.**

threat to their security. Police officers themselves have been accused of raping women in slums, in particular during the post-election violence.

*“It was 30 December 2007 and the violence was at its height with groups of armed youth in running battles with the police... a special contingent of administration police was deployed to keep calm in this area... We were glad that this was so but the police presence turned to be a nightmare which haunts some of us to this day... It was clear that the police were targeting women for rape as a lot of us underwent rape ordeals...”*

Jane, Kibera, 15 February 2010



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*left:* A child stands in the doorway observed by some women from Mukuru Kwa Njenga. He lives together with his mother Sabina, a widow, and six other children in her care. They live together in one room. They have no toilet and no bathroom in the house.

*above:* Naomi, from Mathare, a Nairobi slum. Naomi uses a community toilet, bathroom and water point. They are all about 100 metres from her house. At night it is too dangerous for her to go there.

At work, women are often no safer than they are at home or on the streets of the slums. Many employers abuse their power over women workers, and domestic workers are particularly vulnerable.

*“Often to sustain your job you have to put up with sexual and other forms of harassment...”*

Woman in focus group discussion, Mathare, 18 February 2010

The HIV/AIDS prevalence rate in Kenya’s largest slum, Kibera, is almost double the national rate. This reflects the situation in all of Nairobi’s slums. Women and children

face the threat of HIV/AIDS infection as a result of sexual and other gender-based violence. As a result of the stigma associated with HIV/AIDS, infected women also face discrimination, even more so than men.

*“I have been told to my face by prospective customers that I should quit this business because of their false belief that I would infect them with the disease merely by touching the vegetables which I sell...”*

Rose, Kibera, 15 February 2010

The constant threat of forced eviction for many women living in slums also has implications for their security. Landlords of

the rented homes of slum-dwellers have been responsible for violent crimes against their tenants, particularly women, as a result of not paying rent or late payment.

*“I owed just one month’s rent arrears and the landlord became very violent towards me. One day he came to the house with some youths and broke down the main door and part of the roof. He threw all of my personal belongings out of the house and told me to leave.”*

Flora, Mukuru Kwa Njenga, 16 February 2010

These crimes are often not reported and the perpetrators act with impunity.

Raw sewage runs through Mukuru Kwa Njenga, Nairobi.





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## NO TOILET, NOWHERE TO WASH, NO SECURITY

The shortage of toilets (including latrines) and places to wash in the slums exacerbates women's insecurity and heightens the risk of gender-based violence.

- 68 per cent of people in slums rely on shared toilets (including latrines)

World Bank 2006

- 6 per cent of people in slums have no toilet facilities at all

World Bank 2006

- 24 per cent of people in slums have access to a toilet (including latrines) at household level

Nairobi City Water and Sewerage Company and Athi Water Services Board 2009

Most slum residents use shared pit latrines, with as many as 50 to 150 people sharing one pit latrine. It can take 10 minutes to walk from the user's home to the toilet, a dangerous journey for women, particularly at night. As a result, many are forced to resort to "flying toilets" – disposing of human waste by throwing it into the open in a plastic bag.

There are also some community toilets in slums for public use. However, these usually charge a fee. At about 5 Kenya shillings (US\$ 0.064) per visit, the fees are unaffordable for many women, particularly those with children. These toilets are also closed at certain times, especially at night. Many close at 8pm.

Many women have to wash in their one-room houses, despite the lack of privacy. For some, latrines are the only private place to wash while for others, there might be a small bathroom adjacent to the latrines.

**People who live near this school in Mukuru Kwa Njenga, Nairobi, can use the school's toilets during the day. At night the school is closed and they have to walk up to 10 minutes to a community toilet, a journey fraught with danger for women and girls. Their only other option is to resort to "flying toilets" – disposing of their waste by throwing it into the open in a plastic bag.**

These are shared by tens of households and are often unhygienic.

The inaccessibility of toilets and bathrooms seriously compromises women's right to privacy. Poor sanitary conditions also result in poor health and escalating health care bills for families.

Less well-documented is the impact of the lack of toilets and bathrooms on women's security.



*“Women, more than men, suffer the indignity of being forced to defecate in the open, at risk of assault and rape. Women, generally being responsible for the home and for children and other dependents, are more affected by a lack of sanitation and by the indignity of living without sanitation...”*

Women in focus group discussion, Kibera, 14 February 2010

Particularly after dark, the lack of toilets and bathrooms near their homes puts women at great risk of violence, including rape. Most don't dare leave their homes because of the dangers lurking on the way.

*“Over half of us take 5 to 10 minutes to get to the toilet... If you go out at night you will get raped and assaulted... For women this is unique because it is not just the risk of an assault or mugging but sexual violence as well.”*

Woman in focus group discussion, Mukuru Kwa Njenga, 17 February 2010

Many women have suffered rape and other forms of violence as a result of attempting to walk to a toilet or latrine some distance from their home.

*“It was about 7pm when I had gotten to the latrine only to encounter a group of four young men – including one who was my neighbour and well known to me... Without saying anything two of them held my hands as one hit me on the face and I partly lost consciousness... I shouted asking them to leave me and I could feel them undress me and one of them say that they would teach me a lesson on why I should not be out at that time... I am sure that they were about to start raping me when a few people responded to my shouting and came to my rescue and these men ran away...”*

Amina, Mathare, 18 February 2010

To avoid these dangers, women sometimes wash or use latrines in groups or ask male

**Private toilets in Mukuru Kwa Njenga, Nairobi. These toilets are owned by landlords and used by tenants, some of whom have to walk for up to 10 minutes from their homes to reach them.**

family members to accompany them at night. However, this does not alter the fact that facilities are inadequate and inaccessible. And many single women who are heads of households cannot call upon male family members. Using toilet facilities at night is simply not an option for most women interviewed by Amnesty International.



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## GOVERNMENT DOUBLE STANDARDS

For decades, the government has failed to recognize the slums for city planning and budgeting purposes. The result has been that millions of people have been denied a range of essential services provided by the government to other city residents.

In recent years, there have been moves to address the situation, including public water sector reforms. However, the authorities have not made efforts to meet women's urgent need to have access to toilets and places to wash in their homes.

Nairobi's official water and sanitation service regulator and provider have been working in partnership with non-governmental organizations (NGOs) and community groups to establish a small number of community water and

sanitation facilities in the slums. While such facilities improve the situation, they do not meet the needs of women after dark and they are unaffordable for many residents.

*"We are glad that there is now a community bio-gas toilet and bathroom facility constructed here (through collaboration between the official water service provider and Umande Trust, an NGO). Still, this is not adequate. We have to walk for about 15 minutes from here to get to the facility which is down by the river. And you have to pay some user fees of two shillings [US\$ 0.025] which is quite expensive... The facility opens at 6am and closes at 10pm... For me I don't think I can dare walk there to use it after 7pm."*

Justine, Korogocho, 17 February 2010

The government needs to ensure that women and girls can use toilets and

**Mama Dadi, whose six-year-old daughter Grace Sayisi caught cholera after falling into open sewage outside their house.**

bathrooms without risk to their safety, privacy and dignity. This can be done through regulation, and by providing assistance to households.

It is the responsibility of landlords and owners of houses and structures in the settlements to ensure that their tenants have access to adequate toilets and bathrooms, and that they empty pit latrines so that they do not overflow and become a health risk. However, most landlords and structure owners neglect the sanitary needs of their tenants. They choose to maximize their incomes by renting as many houses or structures as possible instead of constructing toilets and bathrooms.





**A private bathroom in a plot in Korogocho, Nairobi, shared by approximately 10 families living within the plot.**

The local authority and public health officials have a duty to ensure that landlords comply with standards on buildings and sanitation contained in Kenyan law. These standards include the Public Health Act and by-laws including the local authority Building Code, but they are not enforced in slum and settlement areas. To the detriment of slum-dwellers, local authority and public health officials do nothing to ensure that landlords provide essential services to their tenants.

In addition, due to the lack of planning, the slums have grown in a haphazard manner and are extremely congested. Residents are vulnerable to evictions, harassment and threats at any time by the government or

by landlords. Some people live on land reserved for roads and other public infrastructure, and on river banks not suitable for human habitation. In turn, private developers are reluctant to invest and improve housing, toilets and bathrooms. There is also little space in which to build such facilities. Despite acknowledging the problems, the government has failed over the years to take steps to guarantee tenure.

### UN MILLENNIUM DEVELOPMENT GOALS

In line with the UN Millennium Development Goals (MDGs), Kenya agreed to reduce by half, between 1990 and 2015, the proportion of people without sustainable access to sanitation. The government has ambitious plans to ensure that 90 per cent of households will have access to a

hygienic, affordable and sustainable toilet facility by 2015. However, the government's policies do not address the barriers that women living in slums face in gaining access to toilets.

The government plans to support operators of public toilets and to provide subsidies to households to build toilets. However, existing government policies and plans do not address the government's failure to enforce laws obliging landlords and structure owners to provide toilets and bathrooms. They also fail to acknowledge women's vulnerability to violence due to lack of toilets and bathrooms in their homes. Nor are the needs of women prioritized. By failing to address the needs of women living in informal settlements, the government is unlikely to meet its MDG targets on access to toilets.



## PROTECT, DON'T NEGLECT

The lack of policing in slums increases the ever-present threat of rape and other violence faced by women. There is little police presence and no permanent police station or post in Kibera – Kenya's largest slum settlement. The lack of policing in slums is mainly down to the fact that the government has failed to recognize slums for city planning and budgeting purposes.

*"Formally, the general statistics are such that there is one policeman for every 700 Kenyans and even this has been deemed insufficient. However, in Kibera, for an estimated 1 million residents, there is virtually no regular police post or station. In contrast, in the middle and high income areas situated on the edge of Kibera, with about one tenth of the slum's population, there are at least three police posts or stations."*  
NGO worker, Nairobi, February 2010

Providing more police is only part of the picture – equally important is the need to build public confidence and trust in the police.

*"There are usually a few patrols by the police from time to time. Even these few patrols are not helpful because the police usually just come here to extort money from residents"*

Woman in focus group discussion, Kibera, 12 February 2010

The lack of policing is compounded by the obstacles women face in their attempts to seek justice. Few cases of violent crime in the slums are ever referred to courts for prosecution. Widespread ignorance of the law, lack of shelters for victims and witnesses and lack of faith in the police and the justice system means that most women do not even report crimes committed against them.

**Rose, from Mathare, has no toilet or bathroom in the plot where she lives. She has to walk for about 10 minutes to a community toilet and has to pay 2 Kenya shillings to use it. The nearest bathroom also costs 2 Kenya shillings. She has four children and her family often cannot afford to use these facilities. And at night, it is too dangerous.**

*"The process of just filing a report of the violence could take days if not weeks. You would have to report an incident to the local chief and the administrative police here in Kibera. In turn they would refer you to the regular police... This is a process that will entail lots of travel and expenses."*

Woman in focus group discussion, Kibera, 19 February 2010



*above:* A community toilet in Mukuru Kwa Njenga, Nairobi. Community toilets charge a fee of between 2 and 5 Kenya shillings which for many families, particularly those with several children, is unaffordable.

*right:* Soweto is one of the many villages in Kibera, Kenya's largest informal settlement. Polluted water courses run through it.



## SECURITY AND SANITATION – MAKE IT HAPPEN

Amnesty International has joined the residents of four slums in Nairobi in demanding security and sanitation. Amnesty International fully supports their call on the government to ensure adequate access to toilets, bathrooms and policing where they live. It is time for slum dwellers to participate in the decisions that affect their lives. The government of Kenya must respect the right to adequate housing in all of Nairobi, not just in middle and high income areas.

## WHAT YOU CAN DO

Join the campaign and show solidarity with the women of Nairobi's slums. Pressure on the Kenyan government from outside the country, including from other governments, is vital.

The focus of the campaign for the next year is access to sanitation, safe and private bathing areas for women and improved policing in slums. The recommended actions below call for adequate protection for women from gender-based violence and for more bathrooms and toilets to be provided for slum residents. This work is part of Amnesty International's Demand Dignity campaign which aims to end the human rights violations that drive and deepen global poverty. Please keep an eye on our website for future actions:  
[www.amnesty.org/en/region/kenya](http://www.amnesty.org/en/region/kenya)

## TAKE ACTION

### World Toilet Day 19 November 2010 – GET IN LINE

Amnesty International is calling on its supporters to highlight the dangers that women face in slums as a result of limited access to toilets by forming a symbolic toilet queue on World Toilet Day, 22 November. You could do this outside the Kenyan Embassy in your country or outside the Kenyan Ministry for Local Government or the Ministry of Public Health and Sanitation in Nairobi. These are the ministries responsible for ensuring that landlords build and maintain toilets and bathrooms.

### Call on the Minister for Local Government and the Minister of Public Health and Sanitation to:

- Ensure equal protection under the law to all those living in informal settlements. Enforce the Public Health Act and by-laws - including the local authority Building Code - requiring landlords to construct toilets and bathrooms in the immediate vicinity of each household.

- Provide assistance to structure owners who are unable to meet the costs of constructing toilets and bathrooms.

- Ensure access to dumping sites and improved roads to facilitate provision of sanitation.

### Call on the Minister of State for Provincial Administration and Internal Security to:

- Increase the levels of policing in the informal settlements by establishing police posts and ensuring other effective forms of policing in consultation with residents of the slums and settlements.

- Take immediate measures to improve confidence in the justice system and policing, including by improving channels of communication with police so that it is easier for women to report crimes against them.

- Ensure that all cases of gender-based violence are promptly investigated and the perpetrators brought to justice in fair trials that do not lead to the imposition of the death penalty.

### PLEASE SEND APPEALS TO:

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*cover: Sabina, from Mukuru Kwa Njenga, one of Nairobi's slums, stands beside a makeshift bathroom about 30 metres from her house. She doesn't use it though. She prefers to wash in the house when her children are out, where she feels safer and has more privacy. There is nowhere else that she can wash. © Amnesty International*

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HOUSING IS A  
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Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

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