

2000-2001



KENYA HUMAN RIGHTS COMMISSION

A N N U A L R E P O R T



KENYA HUMAN RIGHTS
COMMISSION



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Mission Statement

The Kenya Human Rights Commission (KHRC) is a non-governmental membership organisation founded in 1992. It has observer status with the African Commission on Human and Peoples Rights, is a member of the International Federation of Human Rights (FIDH) and is the 1998 winner of the MS International Award.

The mission of the Commission is to promote, protect and enhance the enjoyment of human rights for all Kenyans.

To achieve this mission, the KHRC carries out activities through its three programs of Research and Monitoring, Advocacy, and Human Rights Education and Outreach. A variety of activities such as production of human rights status reports, campaigns on key human rights issues, community based human rights education and production of a variety of information, education and communication materials are carried out through these Programs. In all its work, the KHRC is committed to mainstreaming gender.

Through its community based human rights approach whose core aim is to strengthen the human rights movement in Kenya, the KHRC currently gives legal cover and institutional support to 12 human rights groups and communities in Isiolo, Mwingi, Meru, Nyahururu, Mombasa, Nairobi, Thika, Siaya, and Tinet. As such groups and projects grow and stand on their own, the KHRC is set on taking others for similar support.

KHRC's Strategic Objectives

- Reduce human rights violations in Kenya
- Strengthen the human rights movement in Kenya
- Hold state, institutions and individuals accountable for human rights violations
- Raise awareness of human rights in Kenya
- Place Kenya on a truly democratic trajectory



MESSAGE FROM THE EXECUTIVE DIRECTOR

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The mid-term evaluation of the Commission's five-year strategic plan (1999-2003) has just been concluded. I have no doubt that the final report will highlight the challenges that the Commission will face, not only in the remaining period of the plan, but also in the next strategic plan (2004-2012).

A lot of thinking has already gone into the content of the next strategic plan, a plan that will implement the third phase of the development of the Commission. While the first phase (1992-1998) of the Commission implemented the Commission's distinctive niche in the monitoring, documenting and publicising the violations of political and civil rights in Kenya, the second phase (1999-2003) has been extending that role of the Commission to the whole gamut of human rights. While emphasising more advocacy and activism in the whole gamut of human rights, the Commission has taken the human rights discourses not only to the middle classes but also to the Kenyan urban and rural communities.

The third phase of the Commission's development will be charged with the rooting of human rights discourses, without their limitations, in the Kenyan communities. This objective will not be an easy one to implement. It is a challenge which concretely focuses on the politics of human rights discourses. It seems clear that human rights discourses can be the basis of political mobilisation in the country and, even more importantly, the basis of contesting political power. Human rights discourses, notwithstanding their limitations, can be the basis of some form of social democracy in this country, at the moment a better ideology than what we have. The discourses can also be the basis of political alliances between the middle classes and the Kenyan communities.

The Vice Chair of the Commission, Mwambi Mwasaru, who has had outstanding experience in community organising, will continue the current thinking on how to implement the third phase of the Commission's development. He will do more comparative research and ultimately come up with a concept paper that will form the basis of what has been called Kenya Human Rights Commission in 2012. Fundamental to the implementation of this third phase in the development of the Commission is a firm foundation in local funding while foreign funding remains a catalyst of the former.

As we celebrate our strengths and weaknesses of the last ten years of our existence and as we manage the success that has become part of us, we must always bear in mind that our survival is dependent on getting every kind of support we need from Kenyans. Let us engage our collective intellect on our future challenges.

Dr. Willy Mutunga, Executive Director

Struggling for a Kenya without human rights violations

**CELEBRATING TEN YEARS
OF THE KENYA HUMAN
RIGHTS COMMISSION
AND LOOKING AT THE
KENYA HUMAN RIGHTS
COMMISSION IN 2002-
2012**



Dr. Willy Mutunga, Executive Director





The KHRC team during the 2001 strategic planning exercise that was held at Lake Elementaita Lodge Naivasha in February 2001

GENDER MAINSTREAMING AT KHRC

The Commission's Gender Action Team issued its first annual gender mainstreaming status report in December 2000. It concluded that the Commission's gender policy was being implemented steadily and some positive ground had been covered, especially in the realm of gender ratio equality in the staff and board levels. There are now even more women members of staff and an equal number of male staff. At the board level, there are also two more women members, Jacinta Muteshi (gender specialist) and Allyce Kureinya (educator), again achieving a ratio of 1:1 at this level.

The Commission's publications have also increasingly adopted the use of more gender inclusive language and desegregated data as far as possible. The Commission has also taken steps to ensure that there is an acceptable gender balance in activities it undertakes with its partner communities, and other groups such as the media. In recognition of areas where we have fallen short in achieving the set targets, the operational program planning for the year 2001 has been engendered by factoring in key gender mainstreaming indicators to ensure more attention is paid to the Commission's Gender Mainstreaming Policy. The incoming of a gender specialist to the board level is also expected to strengthen this undertaking.

PROGRAMS OVERVIEW

During this reporting period of April 2000-March 2001, the KHRC entered into nearly two and half years (26 months) of our five year Strategic Plan period. The year was therefore critical in consolidating the various programmatic changes that the Plan ushered in 1998.

Key achievements during this period include enhanced institutional performance that has seen the implementation rate of programs rise from 48.8% in 1999 to 70% in 2000 and increased dialogical engagement with government departments such as the Police, Prisons and Labour. Another key highlight has been the establishment of inter-institutional linkages with new partners including labour unions and development agencies. This has significantly contributed to the key successes in advocacy.

During 2000, three program officers left the KHRC to take up opportunities with other organisations. Njuguna Mutahi, former Program Officer-Monitoring is currently the Chair of the People Against Torture (PAT), while Lumumba Odenda, former Program Officer-Advocacy is the Co-ordinator of the Kenya Land Alliance that is based in Nakuru. Mugambi Kiai, former Program Officer-Advocacy is currently working at the Fredriech Ebert Foundation (FES). We heartily thank them for their commitment and hard work during their tenure at the KHRC and wish them the best in their new undertakings. During the same period, the composition of Programs staff has changed, with two new members joining the team - Steve Ouma, in October 2000 as a Program Officer in the Advocacy Program, Mikewa Ogada, who was formerly an intern, also joined in the same month and is a Program Officer in the Monitoring and Research program, while Beth Mwanthie and Beatrice Kuria joined the Commission in the capacities of Finance and Administration Manager and Finance Officer respectively.



Steve Ouma



Mikewa Ogada



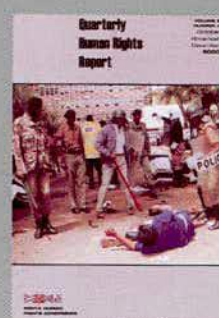
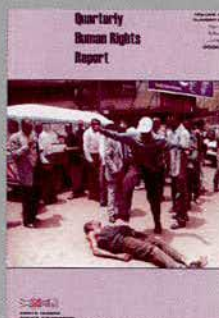
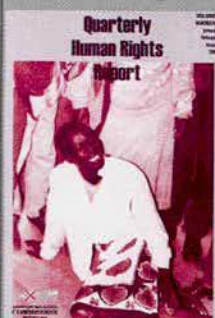
Beth Mwanthie



Beatrice Kuria

The Program continues to monitor and keep records of human rights violations in Kenya. While producing information on which the Advocacy and Human Rights Education Programs rely, the Program also publicises human rights violations.

During this period, the publicising of human rights violations was greatly improved by the implementation of the media activities that were designed to provide the Commission with more links to media practitioners. This has enabled the Commission to enjoy more outlets from which to publicise information on human rights while also ensuring that the Commission remains a key actor in the shaping of public opinion and human rights discourse in Kenya.



The Quarterly Human Rights Report (QHRR)

The Quarterly is still the premier source of a broad range of human rights violations. The Report documents violations of various human rights during each quarter with a view to providing a general picture of the trends and patterns of the status of rights in the country.

The Quarterly has retained its status as a major source of information on human rights violations trends for both the local and international press, scholars, researchers, foreign missions and policy-makers. Indeed, through the Quarterly, we have remained instrumental in ensuring that our funding partners and friends were kept abreast with the latest developments in the human rights situation, especially the state of civil and political liberties. In particular, we held briefing meetings with the Swedish International Development Agency (SIDA), the Royal Netherlands Embassy, MS-Kenya, the European Union, and the United States Embassy.

During the period the Quarterly served as a secondary reference to various reports by international scholars, researchers and human rights institutions including the US State Department's Country Reports on Human Rights Practices. To serve this purpose even more effectively, the Report now relies more on varied sources of information including the Commission's trained human rights monitors, specialised human rights NGOs, and reports brought or sent directly to the Commission and press reports. It will be strengthened further owing to the information and analytical capabilities of the much-improved Human Rights Violations Database.

To further improve our monitoring network's capability, The Monitors' Manual, was issued to monitors in January 2000 and is expected to improve their investigative and reporting techniques in addition to tips on their safety and security. The Manual is the result of extensive research into monitoring methodology and consultation with experts and human rights monitors. So far, the monitors using it have submitted more standardised reports that make interpretation for the monitoring team much more effective.

Media Project

This project whose objective is to enable the Commission keep alive the human rights agenda in the media and inform the rights discourse undertook several media activities that received high level media attention.

Two major human rights information pullouts during this period in the Daily Nation newspaper on Prisons and Prisoners rights and other human rights issues have seen significant interest by the public in either reporting to the KHRC various violations of rights or requesting that they be enrolled as either members of the Commission or monitors.

The KHRC now has stronger contacts not only with management-level media practitioners, but as well, reporters and correspondents on the ground. This is the result of a one-week media training workshop that was held in March 2001. It was attended by 28 media practitioners and was devoted to crime reporting and related human rights issues. Crime reporting in Kenya has often tended to label persons, thus violating their basic civil rights. It has often ignored related human rights issues and relies inordinately on police accounts of criminal events.

The workshop sensitised journalists on these issues while providing a basic introduction to human rights issues and textual analysis. The Commission is now linked to journalists in all provinces except the North Eastern province. Some are helping us with our human rights monitoring in Nairobi, Eldoret, Nakuru and Migori. Indeed, a fact-finding mission conducted in the Kerio Valley in March 2001 benefited greatly from the assistance of journalists we met and trained at the workshop.

RESEARCH

A number of fact-finding missions were undertaken and resulted in the publication of two research reports on political violence. The first report, was a cutting-edge publication that brought the gender dimension to political violence in Kenya. The second report examined the role of the state in political violence in the Kerio valley. Over the next two years, the research program will undertake a project on monitoring electoral violence, before, during and after the 2002 elections. There is a high likelihood of political violence during that period of time due to factors such as the impending presidential succession, the ongoing controversial constitutional reform process, all cast in the background of rising poverty and insecurity.

Abandoned to Terror: Women and Violence in the Kenyan Coast.

Politically instigated violence rocked the Coast province before and after the 1997 General Elections, prompting the Commission and its Mombasa-based project, the Muslims for Human Rights (MUHURI), to embark on a joint research project that examined the effects of political violence on women. The report, that was launched on International Women's Day (March 7, 2001) revealed that the violence was state-sponsored for the purposes of manipulating elections and derailing political pluralism. It carries readers through the horrifying ordeals of women who were abused, assaulted raped and violated by security forces, gangs and even spouses.

Raiding Democracy: The Slaughter of the Marakwet in the Kerio Valley

Following the tragic massacre of 58 people in the Kerio Valley in March 2001. The Commission immediately dispatched a fact-finding team to the valley to investigate into the causes of ongoing violence between the Pokot and Marakwet communities. The report concludes that the violence is politically-instigated thus fitting into the theoretical framework of "Informal Repression" which argues that traditional practices, such as cattle rustling and land disputes, are being politicised by the political elite for their own selfish ends with disastrous consequences. Launched in the valley, it will form an important basis for our advocacy campaign against impunity in relation to ethnic cleansing. It will also serve as evidence in a suit that has been instituted against the government by the Marakwet community for its role in the massacre.

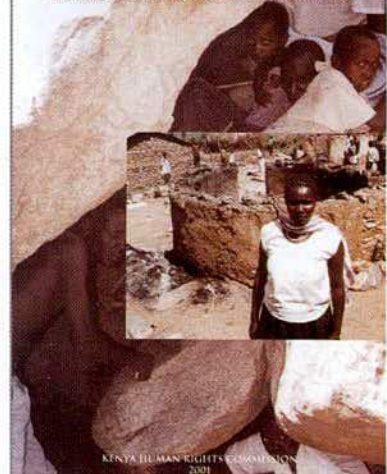
Abandoned to Terror

Women and Violence
at the Kenyan Coast



A Report by the Muslims for Human Rights and
the Kenya Human Rights Commission
March 2001

RAIDING DEMOCRACY THE SLAUGHTER OF THE MARAKWET IN KERIO VALLEY



KENYA HUMAN RIGHTS COMMISSION
2001

The Advocacy Program is the Commission's public engagement voice. Its objectives are to hold state, institutions and individuals accountable to the rule of law while also seeking redress for human rights violations and exposing perpetrators.

During 2000, the Program was mainly involved in a workers' rights campaign, community policing, prisons reform and constitutional reform advocacy.

In 2001, the program will continue with its workers' rights campaigns focusing on exposing conditions in the Export Processing Zones (EPZs) and the flower farming industry in Kenya. The mainstay of the program's work during the coming year will be the "Campaign against Impunity." The campaign will raise awareness on various forms of impunity, which have become pervasive in Kenya and will work to ensure that perpetrators are held accountable and justice is done.

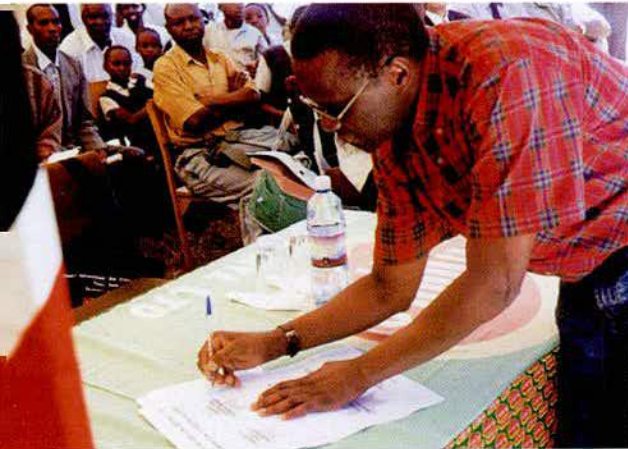
The Del Monte Campaign: A Victory for Workers

The Solidarity Committee with Del Monte Workers (SCDW) led by the KHRC called off the "Say No to the Del Monte Man" campaign which began in 1999. This happened after reaching a favourable compromise with the Del Monte Kenya Limited (DMKL) management. The Commission had spearheaded the Kenyan initiative against the company, which was part of a wider international campaign against the fruit-producing multinational, Del Monte Royal. In Kenya, the campaign members constituted themselves into a group dubbed the Solidarity Committee which comprised human rights NGOs and trade unions representing workers at the multinational's subsidiary in Thika, Kenya, Del Monte Kenya Limited (DMKL).

The campaign proved successful in exposing and facilitating the improvement of the poor working conditions at the company. Among some of the improvements of workers rights initiated by the campaign during the year included the issuing of protective clothing and equipment for workers handling pesticides and the upgrading of 1,500 seasonal (temporary) workers to permanent workers status. At the end of the year the company consented to an inspection of working conditions at its facilities by internationally certified inspectors.

The inspection firm that undertook the audit concluded that DMKL had failed to comply with internationally accepted Social Accountability 8000 (SA 8000) working conditions standards.

Following the inspection, the Solidarity Committee held meetings with the Permanent Secretary in the Ministry of Labour, in which Del Monte undertook to open up further to the workers. A lot of



Dr. Willy Mutunga, ED of the KHRC signs the DMKL Improvement Plan



Leaders of the Solidarity Committee and the DMKL management present the signed Improvement Plan to stakeholders

media interest was aroused by the campaign and the Secretary to the Cabinet reiterated his concern of poor labour practices at DMKL. Early this year, the DMKL finally agreed to an improvement plan that was signed by its management and the Solidarity Committee. Currently, the company continues to implement the improvement plan, under the watchful eyes of the Thika Rights Watch-an initiative of the workers and Solidarity Committee.

Some of the urgent areas in which improvements have already been made are in housing, training in pesticides handling and job categorisation. DMKL has also begun programs aimed at benefiting the local community of Ndula. It has facilitated the provision of water and is supporting an initiative to improve a local primary school.

Prisons Reform Advocacy

Prisons in Kenya remain one of the most neglected institutions of the state. There has been little effort and resources targeted towards improving the correctional system. Prison conditions, typified by torture, brutality, congestion and unhygienic conditions among other ills, pose a deadly threat to the physical and mental well being of prisoners. In response, the Commission designed activities that would enable it to better monitor and expose the prevailing conditions, as well as undertake comprehensive advocacy activities intended to pressurise for penal reform.

Ex-Prisoners Forum

The Ex-prisoners Forum brought together 30 ex-prisoners from around the country to share their experiences in some of the harshest correctional facilities. It attracted national publicity and was critical to the opening of avenues for dialogue between the KHRC and the Commissioner of Prisons on the need for penal reform. Some of the ex-prisoners said the forum had a cathartic effect as it provided them with space to tell their story in the presence of prison authorities. The forum was an effective rehabilitative experience for the ex-prisoners as there were experts who counselled them on possible options of life after imprisonment. Soon after, the Commission was invited to deliver a presentation on prison conditions before the Parliamentary Committee on the Administration of Justice and Legal Affairs.

Through the forum, the Commission was able to gather important qualitative information about prison conditions that has enriched our advocacy report titled The Prisons Audit Report. The report not only examines prison conditions, but also provides a budgetary analysis of the use of the prisons systems annual tax allocation and its relationship to prison conditions.

Prior to the forum, the Commission published a supplement on prison conditions in the Daily Nation of December 10, 2001, the International Human Rights Day. This and a second two-page supplement published in the same daily earlier this year, served to place the plight of prisoners in the national limelight.

The Quarterly Human Rights Report continued to publicise the state of prison conditions and dedicated two quarterly foci to the brutal and shocking killing of six prisoners at the Nyeri GK Prison in September. Through the Litigation Fund for Victims of Torture, the Commission continues to play an important role in the inquest into the killings. Already, a report published by the Standing Committee on Human Rights has concluded that the six prisoners were killed arbitrarily.

Community Policing: Working towards more human rights compliant policing

The deteriorating security situation in Kenya, though requiring resolute police action, has increasingly been attended by irresponsible and unlawful police responses. In turn a high-level of suspicion and deep mistrust has developed between citizens and police, hindering both their efforts to curb crime. A survey we conducted in the Korogocho and Kangemi areas indicated that there was a low level of engagement between the residents and police. In order to promote the concept of community policing in Kenya, we are using the study as a pivotal instrument in informing our 13-episode television program that will popularise the concept nationally.

During this period, the KHRC has also engaged the Police Department and our officers were invited to conduct human rights lectures at the country's main police academy, Kiganjo Police Training College. We also participated jointly with the police and other NGOs in the development of a human rights training manual for the police as part of our effort in advocating for more human rights friendly policing. The manual addresses all aspects of human rights that may be affected during police work and is the result of the need for the police to enhance professionalism, improve community police relations and the force's image.

"Joint Conference on the Administration of Justice in Kenya" by the Kenya Human Rights Commission and the International Federation for Human Rights (FIDH)

The conference, held jointly with the Paris based FIDH, drew important recommendations for the improvement of the administration of justice in Kenya. The recommendations made covered the areas of police conduct, community policing, prison



The KHRC/FIDH Conference in session

<< KENYA HUMAN RIGHTS COMMISSION

conditions, and electoral law changes. It was attended by both local and foreign senior police officials, prison officials, legal experts, researchers, human rights activists and NGOs, and journalists. In the area of community policing, South African and Dutch resource persons shared the experiences in their respective countries. The recommendations will be useful to the Commission's future work in addressing community policing, prisons, legal and judicial reform. The forum also served as an important opportunity for the Commission to improve dialogue between itself and the country's criminal justice system.

Constitutional Reform-The Ogiek Community Constitutional Position Paper

We continue to work with the Ogiek community, a minority forest-dwelling community, to resist efforts by politically well connected individuals to evict them from the Tinet forest. Key to this effort, were a series of focus group discussions (FGDs) that informed the publication of the communities' constitutional position paper on land rights. It is expected that the community will use this position to advocate for land law and policy reform.

INTERNATIONAL ADVOCACY

The 27th African Commission on Peoples and Human Rights Annual Meeting

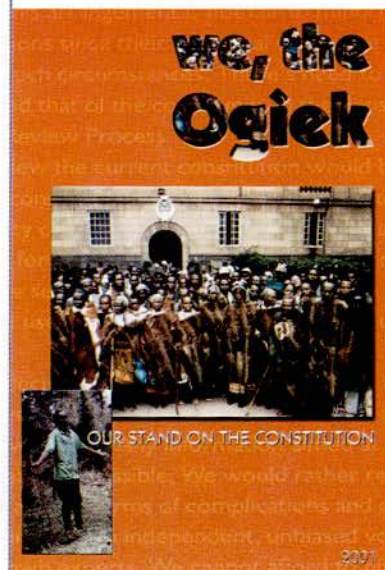
The Commission maintains an observer status in the African Commission and consistently attends its annual meetings. Program officer, Brigit Moraa attended this year's meeting in Benin. It broadly considered the human rights situation in Africa, achievements made, and the challenges ahead. The meeting attended by various stakeholders including governments, local and international NGOs provided the KHRC an invaluable opportunity to participate with others in discussing the rights records in the different African countries. Finally, it helped us build new contacts while solidifying our existing relationships with human rights NGOs from across the continent for future international collaboration.

Amnesty International Campaign against Torture (Launch)

The Commission was instrumental in facilitating the Africa launch of the Amnesty International's (AI) International Campaign against Torture. The launch led by Commission board members and AI officials, Maina Kiai and Njeri Kabeberi, brought together criminal justice system officials from Kenya, Uganda and Burundi. The Kenya government was represented and it once again pledged to eradicate torture. During 2001, the Commission will work closely with other human rights organisations to keep the campaign alive and pressurise the government to keep its promises.



Participants of the joint KHRC/FIDH Conference on the Administration of Justice, held in April 2001



The scars on this young girl were incurred as a result of torture in the home.

The Human Rights Education and Outreach Program has successfully developed and established working structures and relationships with selected KHRC partner communities. The Program is central to the realisation of a strong human rights movement in Kenya. It conducts training for community-based human rights defenders in addition to creating human rights awareness. It has also organised human rights outreach activities and facilitated the establishment of human rights communities in the Commission's six partner communities .

The program has also developed a broad range of human rights information, education and communication materials to support its work.

BUILDING THE HUMAN RIGHTS GRASSROOTS MOVEMENT

Training of Human Rights Defenders

We held workshops in Kangemi, Korogocho, Ndula and Makongeni in which we trained 146 human rights defenders (59 female and 87 male) in community mobilisation techniques, advocacy and human rights violations monitoring. Through these contacts, the Commission's presence in such communities is taking root while at the same time sowing the seeds for the community based human rights defence and advocacy.

School Based Human Rights Training

In order to establish entry into schools, two workshops were held for head teachers drawn from 12 schools located in the KHRC partner communities. The workshops were aimed at exploring ways of introducing human rights education in the schools curriculum and have so far developed draft human rights education plans using the infusion and integration approach. Through this team of about 15 head teachers and resources persons from the Kenya Institute of Education, the KHRC is set to pilot these plan as a second step towards introducing human rights education in both primary and secondary schools.

Using Theatre for Human Rights Education

The Program trained 8 community-based theatre groups on human rights issues to enable them conduct human rights outreach activities in their respective communities. In one case following a performance in which a brutal Chief's action were re-enacted, the area District Officer ended up transferring the area Chief.

Twelve theatre clinics aimed at raising human rights awareness in our partner communities were also undertaken. The clinics were



KHRC staff and participants following the successful completion of a workshop held for head teachers.



Members of the Ogiek community participate alongside KHRC trained community-based theatre groups in an interactive human rights play, held in Tinnet.

held in Korogocho, Ugunja, Ndula, Makongeni, and Kangemi. The clinics and the Commission's long presence in these communities have undoubtedly contributed to the increase in awareness of human rights among residents.

IEC Materials Development

Following two intensive workshops, a range of IEC materials were developed for use by community-based human rights defenders for human rights awareness creation and advocacy. Two needs assessment research studies, conducted in three partner communities Ugunja, Ndula and Makongeni, formed the basis of the materials developed. The materials have since been pre-tested, drafted and produced.

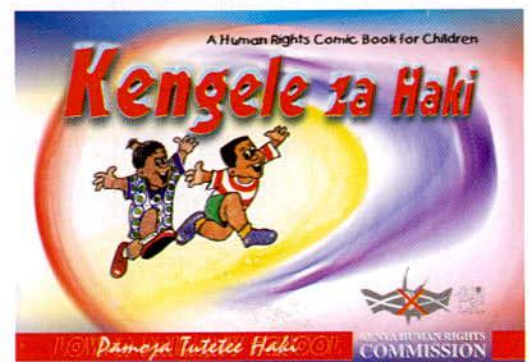
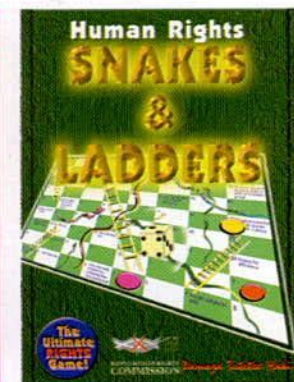
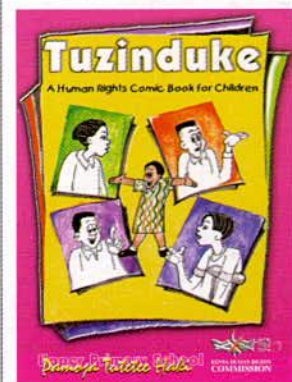
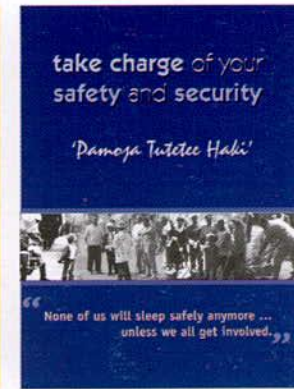
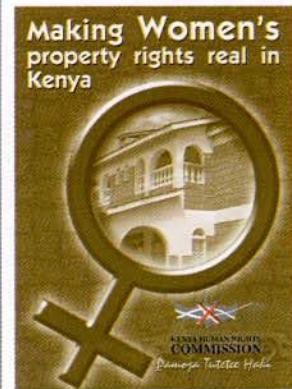
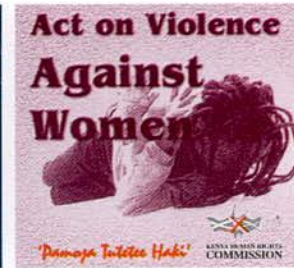
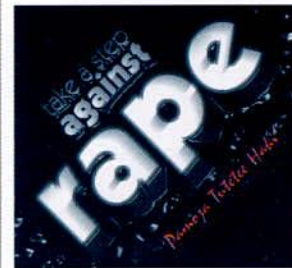
Institutional capacity building for up-coming human rights groups

The Commission is committed to building a sustainable human rights movement in Kenya not only through training but also nurturing the growth of up-coming human rights in various areas in the country. Such groups enhance the human rights monitoring network across the country. While such organisations operate independently in terms of financial management and programmatic planning, the Commission offers assistance in enhancing good management practices, proposal writing and fundraising. During this period the following groups have been taken in by the KHRC

- 1 Centre for Human Rights and Civic Education (CHRCE)- Mwingi
- 2 Hussein Sora Foundation for Human Rights and Democracy-Isiolo
- 3 Support for Peoples Initiatives in Development, Enhancement and Resources (SPIDER) - Nyahururu
- 4 Rural Centre for Human Rights and Democracy- Maragua
- 5 Centre for Human Rights and Democracy (CHURD)-Meru
- 6 The League of Small Scale Coffee Farmers -LOSSCOF - Thika with members form all coffee growing areas
- 7 The National Aid for Pastoral Change (Naid-PAC) - Moyale

They also provide human rights violation reports as well as critical entry points and support bases for advocacy and educational work conducted by the Commission in the areas where they are based. Currently, there are several applications being considered for the extension of legal cover to more community-based human rights organisations.

Some IEC Materials produced by KHRC



INTERNSHIP PROGRAM: TRAINING AND MENTORING NEW HUMAN RIGHTS DEFENDERS

The KHRC Internship Program continues to be one of the leading programs in the democracy and governance sector in terms of offering hands-on training for human rights practitioners. The Commission hosts between 9 and 12 interns annually and fully involves them in all aspects of its operations. The Internship Program is highly developed and respected as is demonstrated by several requests to us by organisations such as Transparency International and Africa Peace Initiative to share our policy.

The quarterly internship experience continued to attract competitive university students, researchers and human rights activists, as seen by the increase in local and international applications.

Each quarter we host interns drawn from one of our six partner communities. Philip Ochieng, who hails from Ugunja acquired proposal writing skills that enabled him to write a successful funding proposal for the Ugunja Resource Community Centre. Indeed, during a visit by staff to the Centre, Philip spoke highly of the KHRC Internship Program.

Githii Wa Mweru, a former student activist and Joseph Kioko, who continue to be key members in the Kimathi Movement and Maguezi movements, respectively were also hosted. Currently, we are hosting Mercy Kimemia, a graduate of the Nairobi University, with a strong links to our workers rights community in Thika (Del Monte campaign.) Susan Owiro, also a graduate of the same university is a community organiser attached to the Advocacy and Human Rights Education programs. Kennedy Ochieng, recently admitted to the bar, worked with the advocacy program and has since been employed at a leading law firm in Nairobi.

Two more interns hosted during the year have also been employed within the human rights network. Mikewa Ogada, now serves as a program officer in the Monitoring and Research program and James Miriti, is employed as a legal officer at the Refugee Consortium of Kenya (RCK). Jerusha Okubasu, who we hosted earlier in the year, is now undertaking her Master's degree in international relations in the United States.

We also hosted several international interns during the year; Carola Grund from Germany, Marie Pommerole from France and Mariken Joustra from the Netherlands.



Githii Wa Mweru
outside KHRC offices



Mariken receiving a gift of appreciation for serving as intern at KHRC

OTHER OUTREACH ACTIVITIES

The Constitution and Reform Education Consortium (CRE-CO) Initiative

We are currently giving legal cover to CRECO. CRECO is a consortium of 22 civil society organisations that will be involved in constitutional reform education. During the year proposals for funding for civic education were accepted by the Like Minded Donors (LIMID) and CRECO was involved in critiquing the Nation Civic Education Curriculum that was developed by the government. The secretariat will be constituted in August 2001 and, already, some members of the consortium have received funding to begin implementation of their programs.

International Human Rights Day

Dec 10, 2000



A member of the public studies the KHRC human rights photo exhibition during the celebrations



Members of the public enjoy entertainment at the Uhuru Park, Nairobi during the KHRC's International Human Rights Day celebrations.

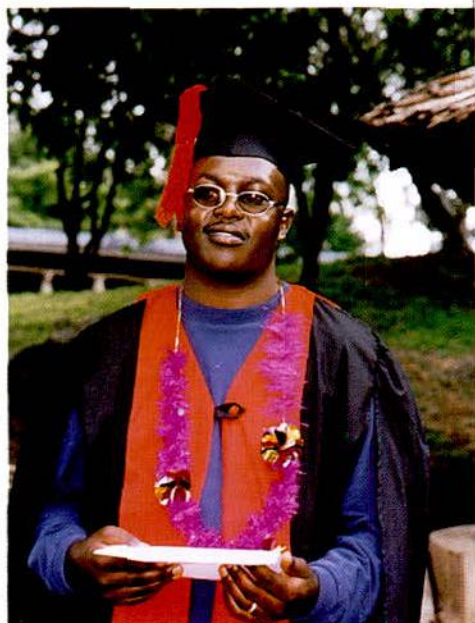
The following members of staff pursued training during this period:



Beatrice Kuria receiving her CPA (K) certificate from the Chair of Institute of Certified Public Accountants (ICPAK)

The Commission is devoted to ensuring that it has a multidisciplinary well-trained staff. The training is aimed at strengthening all aspects of our work; from programs, administration to finance and management. The Commission is devoted to facilitating the development of knowledge and skills for its staff that are not only traditional to human rights work, but also other disciplines such as financial management, NGO management, community development, fundraising, and computer training.

Mutuma Ruteere, Program Officer (Monitoring and Research), was accepted to the highly competitive Human Rights Theory Master's degree program at the University of Essex in October. Upon successful completion, his experience will definitely strengthen the Commission by imparting knowledge on cutting-edge issues in human rights theory and discourse.



Congratulations! An ornately garlanded James Nduko at his graduation.

James Nduko, Program Officer (Human Rights Education and Outreach) graduated successfully from a training course on Management of Community Development Programs at the respected MS-Training Centre Development Co-operation (TCDC) in Arusha. His experience will undoubtedly strengthen the program's community human rights outreach work.

Picture of JN graduation

Brigit Moraa, Program Officer (Human Rights Education and Outreach) attended a one-month training course, the 21st International Human Rights training, hosted by the Canadian Human Rights Foundation in Montreal, Canada. The training focused on international human rights theory and globalisation discourse, human rights education and the plight of human rights defenders.

Beatrice Kuria, the KHRC Financial Officer, completed her accountancy coursework and is now a CPA (Kenya) holder.

Steve Ouma, Program Officer (Advocacy Program), attended and successfully completed a six-month Post-graduate Diploma in NGO Management-Part I, at the Kenya Institute of Management. The training will improve program's planning and implementation. Steve is scheduled to attend the second level of the course in 2002.

Team building exercise

Staff participated in a four-day course by the renowned Outward Bound that was held in their site at Loitoktok. The training was instrumental in sowing the seeds of teamwork and has become an important reference point in the discourse of teamwork at the Commission.

Time management training

The Commission's staff successfully completed a two-day training workshop on time management techniques conducted by the British Council. The workshop covered the following areas: planning, scheduling and the prioritisation of workloads

The Thursday In-house Talk Series

The Commission holds these talks once a month to reflect on issues that are critical to its development and that of staff. Resource persons from without the Commission have been invited to lecture and facilitate discussions on different issues. Key issues covered during the period include, Human rights and globalisation which was facilitated by intern Githii Wa Mweru, and Community Based Approach to Development by Eliud Ngunjiri, Executive Director of Resources Oriented Development Initiatives (RODI - Kenya).

The Chair's Visit (March, 2001)

The Commission's Chair, Prof. Makau Mutua, paid a courtesy call to our funding partners to express the Commission's gratitude for their continued support. He also shared with staff future plans for the Commission while congratulating them for their hard work.

KHRC's LATEST PUBLICATIONS

Abandoned to Terror: Women and violence at the Kenyan Coast (KSh. 150)

Available: A report on state-sponsored violence in the Coast and its impact on women rights.

Raiding Democracy: The Slaughter of the Marakwet in the Kerio Valley (2001) (KSh. 300)

Available: A report on the politically instigated massacre of the 58 Marakwet people on March 12, 2001 by members of the Pokot community.

Our Constitution: We the Ogiek (2001)

Available: The Ogiek community's constitutional position on land law and policy reform.

Quarterly Human Rights Report 2000 Vol. 2 No. 1, 2, 3, 4 (KSh. 150)

Available: Reports on trends in the human rights situation in Kenya

covering violations of the right to life, civil and political liberties and economic and social rights.

KHRC Annual Report 1999

Available: An elaboration of the Commission's work in the year 1999.

Kenya Human Rights Commission Brochure

Available: An overview of the Commission's mission, objectives, history and programs.

Pambazuka

Coming soon: A human rights training manual, focusing on human rights education, advocacy and community development.

KHRC Prisons Audit Report (2001)

Coming soon: An advocacy report that is a budgetary analysis of prisons annual tax allocation and its impact on prison conditions and prisoners' rights.

ORDER INFORMATION FORM

Kenya Human Rights Commission

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E-mail: admin@khrc.or.ke
Website: www.khrc.or.ke

Name:

Address:

Publications requested:



AUDITORS REPORT



■ **Certified Public Accountants**

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REPORT OF THE INDEPENDENT AUDITORS TO THE MEMBERS OF KENYA HUMAN RIGHTS COMMISSION

We have audited the accounts set out on pages 6 to 13 which have been prepared on the basis of accounting policies set out on page 9. We obtained all the information and explanations which we considered necessary for our audit.

RESPECTIVE RESPONSIBILITIES OF THE DIRECTORS AND THE INDEPENDENT AUDITORS

As stated on page 4, the directors are responsible for the preparation of accounts which give a true and fair view of the state of affairs of the organisation and of its operating results. Our responsibility is to express an independent opinion on the accounts based on our audit and to report our opinion to you.

BASIS OF OPINION

We conducted our audit in accordance with International Standards on Auditing. We planned and performed our audit so as to obtain reasonable assurance that the accounts are free from material misstatement. An audit includes examining, on a test basis, evidence relevant to the amounts and disclosures in the accounts. It also includes an assessment of significant estimates and judgements made by the directors in preparation of the accounts and whether the accounting policies are appropriate, consistently applied and adequately disclosed.

OPINION

In our opinion, proper books of account have been kept and the accounts, which are in agreement therewith, give a true and fair view of the state of financial affairs of the organisation at 31 March 2001 and of the results of its operations and cash flows for the year then ended and comply with international Accounting Standards.

Ernst & Young

Nairobi

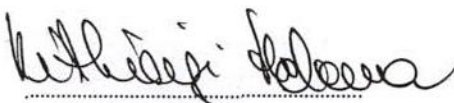
31 July 2001

BALANCE SHEET

**KENYA HUMAN RIGHTS COMMISSION
BALANCE SHEET
AS AT 31 MARCH 2001**

	Note	2001 KShs	2000 KShs
ASSETS			
Sundry debtors	2	868,069	848,957
Investments	3	15,501,832	-
Bank and cash balances		<u>12,139,345</u>	<u>18,667,715</u>
TOTAL ASSETS		<u>28,509,246</u>	<u>19,516,672</u>
FUND BALANCES AND LIABILITIES			
FUND BALANCES			
General Fund	4a	6,804,461	5,722,100
Donor Funding Accounts	4b	<u>18,448,049</u>	<u>10,494,704</u>
CURRENT LIABILITIES			
Sundry creditors	5	<u>25,252,510</u>	<u>16,216,804</u>
		<u>3,256,736</u>	<u>3,299,868</u>
TOTAL FUND BALANCES & LIABILITIES		<u>28,509,246</u>	<u>19,516,672</u>

These accounts were approved by the Board of Directors on 31/7/ 2001 and signed on its behalf by:-



Prof Makau Wa Mutua
Chair of the Board of Directors



Dr. Willy M. Mutunga
Executive Director

INCOME AND EXPENDITURE ACCOUNT

KENYA HUMAN RIGHTS COMMISSION INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31 MARCH 2001

	Note	2001 12 months	2000 15 months
		KShs	KShs
INCOME			
Grant receipts	6	49,645,591	44,263,654
Investment income		226,943	-
Fixed deposit interest		-	41,376
Bank interest		143,705	67,905
Sale of publications		75,011	89,841
Consultancy fees		6,000	54,721
Other		<u>761,886</u>	<u>587,196</u>
		<u>50,859,136</u>	<u>45,104,693</u>
EXPENDITURE			
Data collection/needs assessment		835,698	530,191
Information, education & communication materials		3,637,854	946,758
School based Training		203,698	-
Community based training		1,931,047	672,595
Community based theatre		1,459,143	525,200
Campaigns		4,308,301	2,112,279
Quarterly human rights & occasional reports		1,928,158	1,623,927
Urgent actions/rapid response network		510,468	1,425,385
Internship		168,270	533,794
Habeas corpus		83,320	76,000
Organisational & staff development		4,050,451	2,196,487
Public relations		839,341	180,034
Staff costs	7	13,221,375	16,394,168
Administration costs		5,843,082	5,505,476
Capital costs		2,803,224	2,851,278
Reversed provisions		-	(1,234,252)
Total expenditure		<u>41,823,430</u>	<u>34,339,320</u>
SURPLUS FOR THE YEAR/PERIOD	8	<u>9,035,706</u>	<u>10,765</u>
The surplus for the year/period is made up of.			
Donor Funding Accounts		7,953,343	11,796,274
General Fund		<u>1,082,363</u>	<u>(1,030,901)</u>
		<u>9,035,706</u>	<u>10,765 373</u>

CASH FLOW STATEMENT

**KENYA HUMAN RIGHTS COMMISSION
CASH FLOW STATEMENT
FOR THE YEAR ENDED 31 MARCH 2001**

	2001	2000
Note	12 months	15 months
	KShs	KShs
Cash flow from operating activities		
Surplus for the year/period	9,035,706	10,765,373
Adjustment for:		
Interest on fixed deposits	-	(41,376)
Investment income	<u>(226,943)</u>	<u>-</u>
Operating surplus before working capital changes	8,808,763	10,723,997
Increase in sundry debtors	(19,112)	571,159
Decrease in sundry creditors	<u>(43,132)</u>	<u>(1,695,837)</u>
Net cash flow from operating activities	<u>8,746,519</u>	<u>9,599,319</u>
Cash flow from activities		
Interest received on fixed deposits	-	41,376
Fixed deposits recalled	-	6,255,198
Investment income	<u>226,943</u>	<u>-</u>
Net cash from investing activities	<u>226,943</u>	<u>6,296,574</u>
Net increase in cash and cash equivalents	8,973,462	15,895,893
Cash and cash equivalents at the beginning of the year/ period	<u>18,667,715</u>	<u>2,771,822</u>
Cash and cash equivalents at the end of the year/period	9 <u>27,641,177</u>	<u>18,667,715</u>

22 NOTES TO THE ACCOUNTS

FOR THE YEAR ENDED 31 MARCH 2001

KENYA HUMAN RIGHTS COMMISSION NOTES TO THE ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2001

1 ACCOUNTING POLICIES

a) Basis of accounting

The accounts are prepared on the historical cost basis of accounting.

b) Investments

Investments are stated at the lower of cost and market value.

c) Income / Funding

Income/funding comprises grants from various donors and interest received from investments in Treasury Bills, bank deposits and other income. Income is recognised in the period it is received.

d) Expenditure

Expenditure comprises expenses incurred directly for programme activities. These are recognised when payments are made. Appropriate accruals are made for expenditure incurred and not paid for at the year-end and for prepaid expenses.

e) Fixed assets

Fixed assets purchased using donor funds are expensed in the year of purchase.

f) Employee benefits

The commission operates a defined contribution pension scheme for its employees.

The commission also contributes to a statutory defined contribution pension scheme, the National Social Security Fund (NSSF). Contributions are determined by local statute and are currently limited to KShs. 80 per employee per month.

2 SUNDRY DEBTORS

	2001 KShs	2000 KShs
The debtors' balances are made up of the following: -		
Prepaid expenses	518,071	349,548
Other Debtors	738,517	1,129,871
CBK interest receivable	226,943	-
	<u>1,483,531</u>	<u>1,479,419</u>
Less: Provision for doubtful debts	<u>(615,462)</u>	<u>(630,462)</u>
	<u>868,069</u>	<u>848,957</u>

NOTES TO THE ACCOUNTS (cont)
FOR THE YEAR ENDED 31 MARCH 2001

3 INVESTMENTS	2001 KShs	2000 KShs
Investments in Treasury Bills	<u>15,501,832</u>	<u>-</u>
4 FUND BALANCES		
4 a GENERAL FUND		
Balance brought forward	5,722,100	6,753,001
Surplus/(deficit) for the year/period	<u>1,082,361</u>	<u>(1,030,901)</u>
Balance carried forward	<u>6,804,461</u>	<u>5,722,100</u>
4 b DONOR FUNDING ACCOUNTS		
Balance brought forward	10,494,704	(1,301,570)
Surplus for the year/period	<u>7,953,345</u>	<u>11,796,274</u>
Balance carried forward	<u>18,448,049</u>	<u>10,494,704</u>
5 SUNDRY CREDITORS		
Creditors balances are made up of the following:		
Audit Fees	607,110	588,525
Consultancy Fees accrued	788,000	-
Other accrued expenses	<u>1,861,626</u>	<u>2,711,343</u>
	<u>3,256,736</u>	<u>3,299,868</u>

NOTES TO THE ACCOUNTS (cont)

FOR THE YEAR ENDED 31 MARCH 2001

6 GRANTS RECEIPTS

Grants received during the year /period
are as follows:-

	2001 12 months KShs	2000 15 months KShs
FORD, ACTION AID	7,764,500	7,307,700
DANIDA	2,469,425	10,378,104
Litigation Fund - DANIDA, DFID.RNE	904,000	-
USAID	6,737,288	3,659,334
Swedish NGO Foundation	-	566,575
Ministry of Foreign Affairs of Finland	2,854,239	4,023,117
NOVIB	6,524,940	6,174,367
KONRAD	-	150,000
SIDA	5,400,000	5,800,000
MS-Kenya	-	240,070
UNIFEM	-	617,068
Article 19	-	895,616
FES	54,976	72,032
TROC/IRISH	9,077,219	3,102,511
WESTMINSTER	-	527,160
DFID	2,938,497	450,000
RNE	3,560,000	300,000
FIDH	1,315,507	-
Others	45,000	-
	<u>49,645,591</u>	<u>44,263,654</u>

7 STAFF COSTS

	2001 12 months KShs	2000 15 months KShs
These are made up of the following:-		
Staff salaries	11,268,449	14,542,238
Staff medical cover insurance	981,986	895,672
Terminal dues	-	652,892
Recruitment expenses	-	87,984
Provident fund Contributions	959,740	215,382
NSSF	11,200	-
	<u>13,221,375</u>	<u>16,394,168</u>

Included in these amounts are program staff costs, which are direct program expenses, These constitute about 40% of the total staff costs.

NOTES TO THE ACCOUNTS (cont)
FOR THE YEAR ENDED 31 MARCH 2001

8 SURPLUS FOR THE YEAR/ PERIOD

Surplus for the year/period is stated after charging:-	2001 12 months KShs	2000 15 months KShs
Provident fund contributions	959,740	215,382
Audit fees	475,000	475,000
Director's emoluments	<u>2,163,000</u>	<u>2,250,000</u>
And after crediting:-		
Interest income	-	41,376
Exchange gain	8,533	-
Income from investments	<u>226,943</u>	<u>-</u>

9 CASH AND CASH EQUIVALENTS

For the purpose of the cash flow, cash and cash equivalents comprise of:-

Bank- and cash balances	12,139,345	18,667,715
Investments in treasury bills	<u>15,501,832</u>	<u>-</u>
	<u>27,641,177</u>	<u>18,667,715</u>

10 FIXED ASSETS

As stated in note 1(e), fixed assets purchased using donor funds are expensed in the year of purchase. All assets whose price exceeds KShs. 10,000 are included in the organisation's assets register. The details of assets so purchased and expensed but not disposed off as at the balance sheet date are as follows:-

	2001 KShs.	2000 KShs.
Computers	4,687,045	2,262,934
Motor vehicles	3,443,627	3,085,014
Furniture and fittings	690,518	690,518
Office equipment	<u>2,732,801</u>	<u>2,712,303</u>
	<u>11,553,991</u>	<u>8,750,769</u>

11. TAXATION

The organisation has applied for exemption &on, Income Tax. No provision has been made in these accounts as the directors are of the opinion that tax exemption will be granted by the Commissioner of Income Tax.

NOTES TO THE ACCOUNTS (cont)
FOR THE YEAR ENDED 31 MARCH 2001

12. EMPLOYEES

The number Of employees at the end of the Year/period was 12 (2000 - 14).

13. REGISTRATION

The organisation is registered in Kenya under the Non Governmental Organisations Coordination Act, 1990.

14. CURRENCY

These accounts are presented in Kenya shillings (Kshs).



ANNUAL REPORT 2000-2001 >> KENYA HUMAN RIGHTS COMMISSION



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Kenya Human Rights Commission

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